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ORIGINAL

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

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SC Court of Appeals

APPEAL FROM NEWBERRY COUNTY
DECISION OF NEWBERRY COUNTY COUNCIL
Appellate Case Number 2016-000305

Arthur L. Jayroe Jr.,

Appellant,

Vs.

Newberry County,

Respondent.

RECORD ON APPEAL

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Certificate of Counsel

STATE OF SOUTH CAROLINA
COUNTY OF NEWBERRY
IN THE COURT OF COMMON PLEAS

FORM 4

JUDGMENT IN A CIVIL CASE

CASE NO. ²⁰¹¹2012 CP-36-464 ROA 0001

THOMAS ABRAHAM

COUNTY OF NEWBERRY

PLAINTIFF(S)

DEFENDANT(S)

Submitted by:

Attorney for : ☐ Plaintiff ☐ Defendant
or
☐ Self-Represented Litigant

DISPOSITION TYPE (CHECK ONE)

- ☐ **JURY VERDICT.** This action came before the court for a trial by jury. The issues have been tried and a verdict rendered.
- ☒ **DECISION BY THE COURT.** This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered. ☐ See Page 2 for additional information.
- ☐ **ACTION DISMISSED (CHECK REASON):** ☐ Rule 12(b), SCRPC; ☐ Rule 41(a), SCRPC (Vol. Nonsuit); ☐ Rule 43(k), SCRPC (Settled); ☐ Other
- ☐ **ACTION STRICKEN (CHECK REASON):** ☐ Rule 40(j), SCRPC; ☐ Bankruptcy; ☐ Binding arbitration, subject to right to restore to confirm, vacate or modify arbitration award; ☐ Other
- ☐ **DISPOSITION OF APPEAL TO THE CIRCUIT COURT (CHECK APPLICABLE BOX):**
☐ Affirmed; ☐ Reversed; ☐ Remanded; ☐ Other

NOTE: ATTORNEYS ARE RESPONSIBLE FOR NOTIFYING LOWER COURT, TRIBUNAL, OR ADMINISTRATIVE AGENCY OF THE CIRCUIT COURT RULING IN THIS APPEAL.

IT IS ORDERED AND ADJUDGED: ☒ See attached order ☐ Statement of Judgment by the Court:

ORDER INFORMATION

This order ☒ ends ☐ does not end the case.

Additional Information for the Clerk :

INFORMATION FOR THE JUDGMENT INDEX

Complete this section below when the judgment affects title to real or personal property or if any amount should be enrolled. If there is no judgment information, indicate "N/A" in one of the boxes below.

Judgment in Favor of (List name(s) below)	Judgment Against (List name(s) below)	Judgment Amount To be Enrolled (List amount(s) below)
Thomas Abraham	Newberry County	\$21,805.00
		\$
		\$
If applicable, describe the property, including tax map information and address, referenced in the order:		

The judgment information above has been provided by the submitting party. Disputes concerning the amounts contained in this form may be addressed by way of motion pursuant to the SC Rules of Civil Procedure. Amounts to be computed such as interest or additional taxable costs not available at the time the form and final order are submitted to the judge may be provided to the clerk. Note: Title abstractors and researchers should refer to the official court order for judgment details.

For Clerk of Court Office Use Only

ROA 0002

This judgment was entered on the 7th day of July, 20 14 and a copy mailed first class or placed in the appropriate attorney's box on this 9th day of July, 20 14 to attorneys of record or to parties (when appearing pro se) as follows:

J. Lewis Cramer
PO Box 11675
Columbia, SC 29211-1675
ATTORNEY(S) FOR THE PLAINTIFF(S)

Derrwood L. Appleton III
999 Edgewood Ave Suite 100
Columbia, SC 29201
ATTORNEY(S) FOR THE DEFENDANT(S)
Jackie L. Bowers (S)
CLERK OF COURT

Court Reporter:

ADDITIONAL INFORMATION REGARDING DECISION BY THE COURT AS REFERENCED ON PAGE 1.

This action came to trial or hearing before the court. The issues have been tried or heard and a decision rendered.

STATE OF SOUTH CAROLINA
COUNTY OF NEWBERRY

Thomas Abraham,

Plaintiff,

v.

Newberry County,

Defendant.

IN THE COURT OF COMMON PLEAS 0003

C.A. No. 2011-CP-36-464

ORDER

JACKIE S. TAYLOR
CLERK OF COURT

FILED
NEWBERRY COUNTY
2011 JUL 7 AM 10:43

This matter is before the Court for a decision on stipulated facts, as set out below. The parties have asked the court to resolve four issues arising under the Magistrate's Pay Act. Those issues are: (1) whether the plaintiff here is entitled to call pay as a full-time magistrate; (2) whether the plaintiff is entitled to call pay for the entire call period or only for the times when he is actually out on call; (3) whether the plaintiff may be reclassified from a full-time magistrate to a part-time magistrate during his term of office and, if not, the measure of his damages; (4) whether the plaintiff is entitled to a portion of the supplemental full-time magistrate's pay the County voluntarily provided by resolution to the Newberry County Magistrate's Court; and (5) whether the plaintiff is entitled to a portion of the Section 22-8-40(G) statutory supplement for chief magistrates.

STIPULATED FACTS

1. Plaintiff, Thomas Abraham, is a former magistrate who served in the Newberry County Magistrate's Office. He was appointed by Governor Jim Hodges to be a part-time magistrate on April 4, 2002, on the advice and consent of Sen. Andre Bauer.

2. In November 2005, Plaintiff was first by Governor Mark Sanford as a full-time magistrate on the advice and consent of Sen. Ronnie Cromer. In March 2011, he was advised by Sen. Cromer that he would not be reappointed as a full-time magistrate when his appointment

2M

expired and that he would serve as a part time magistrate beginning June 3, 2011. On June 3, 2011, **ROA 0004**
Abraham was advised by Chief Magistrate Arthur Jayro that he was being reclassified as a
part-time magistrate working 12 hours per week. He served in that capacity until his term expired
on February 9, 2012, when he was told by Court Administration that he had not been reappointed.

3. Newberry County ("the County") had no appointment or removal authority over
Plaintiff in his capacity as a magistrate. However, the County must fund the salaries of County
magistrates pursuant to the Magistrate's Pay Act ("the Act"), S.C. Code Ann. §§ 22-8-10, et. seq.

4. The County's magistrates worked a rotating schedule of call duty to handle
weekend and holiday bond court and emergency issues. The "call period" lasts from the end of the
last regular business day until the start of the next regular business day, meaning that on weekends,
for example, the call period is 5 p.m. Friday until 8:30 a.m. Monday. Weekend bond court is
typically held at 10 a.m. and 4 p.m. on both Saturday and Sunday. Sporadically, Plaintiff would
also have to respond to after-hours requests for warrants and the like. Plaintiff worked call duty
every fifth week.

5. While on call, Plaintiff was required to stay within the County's borders in case of
an emergency unless he notified someone that he was leaving the County. He slept at home and
was able to travel anywhere within the County for personal business and without the County if he
provided notice. Plaintiff lived approximately 16 miles from Central Court.

6. The parties stipulate solely for purposes of this litigation that Plaintiff had call duty
for a total of 2,400 hours, 1,920 hours of which were while he was a full-time magistrate and 480
hours of which were while he was a part-time magistrate. The parties further stipulate solely for
purposes of this litigation that Plaintiff was actually performing duties while on call for a total of
612 hours, 489 hours of which were while he was a full-time magistrate and 84 hours of which

were while he was a part-time magistrate.

ROA 0005

7. For purposes of calculating damages and by way of stipulation, Plaintiff's hourly rate at all times relevant was \$22.25.

8. Throughout the time that Plaintiff served as a full-time magistrate, the County voluntarily agreed by resolution to provide a supplement to the magistrate's court in the amount of \$4,500 ("the voluntary supplement"). The voluntary supplement was not mandated by law, but was intended as additional compensation for full-time magistrate judges. In December 2005, Chief Magistrate Arthur Jayroe began paying the entire supplement to himself. Prior to this time, the two full-time magistrates who performed the administrative duties of the magistrate court had agreed to divide the supplement equally between them. At no time was Plaintiff ever paid the voluntary supplement.

9. Every six months, the South Carolina Supreme Court issues an administrative order designating the chief magistrates for the next six-month period. Pursuant to Section 22-8-40(G) of the Act, the County must provide a supplement of \$1,500.00 to a "part-time chief magistrate" or a supplement of \$3,000.00 to a "full-time chief magistrate" as those terms are defined by the Act. In December 2005, Chief Magistrate Arthur Jayroe began keeping the entire supplement.

10. At no time while he served as a magistrate was Plaintiff ever appointed by the South Carolina Supreme Court as the Chief Magistrate.

11. Plaintiff, along with another magistrate judge, performed most of the administrative duties during his time as a full-time magistrate judge, including:

- a) The majority of warrant review and signing for law enforcement after regular business hours;
- b) Holiday and weekend on-call/bond court work as previously described

above;

ROA 0006

c) From 2005 until June 10, 2011, Plaintiff held the title of chief administrator of Newberry Central Court and was responsible for the Central Court's finances;

d) Reviewing and approval of timesheets;

e) Performing staff evaluations;

f) Signing requisitions for supplies and materials for Central Court;

g) Attending all County department head meetings on behalf of the magistrate court;

h) Preparing rosters of jury trials;

i) Overseeing installation of modern recording and HVAC systems in Central Court courtrooms;

j) Calling a County Council meeting to discuss security at Central Court;

k) Hiring bailiffs for the County;

l) Requesting the expansion of the Central Court parking lot;

m) Implementing a computerized bonding system; and

n) Helping implement the Newberry and Laurens Counties Worthless Check Program and setting up the Criminal Domestic Violence Court in Newberry County.

INTRODUCTION

1. The Case

The Plaintiff was appointed by Governor Mark Sanford to be a full-time magistrate in Newberry County in 2005. (Stipulated Facts ¶ 2). Plaintiff was "reassigned" to the position of part-time magistrate on June 3, 2011 by his local Senator, and served as Part-Time Magistrate until February, 2012. (*Id.*) As a full-time magistrate, Plaintiff performed, along with another

full-time Magistrate, the majority of the administrative duties for the county court systems.

ROA 0007

(Stipulated Facts ¶ 11). Plaintiff contends he is entitled to the following: call pay for time scheduled to be spent on-call during his tenure as a full-time and later part-time magistrate, damages resulting from being inappropriately reclassified to the position of part-time magistrate, a one-half share of an excess supplement provided by the County (see Stipulated Facts ¶ 8), and a one-half share of the of the § 22-8-40(G) statutory supplement for chief magistrates.

2. The Statute.

Pursuant to Article 5, Section 1, of the South Carolina Constitution, South Carolina has a unified judicial system and the General Assembly, not the counties, has the authority to set the base pay for magistrates. S.C. Const. Art. V § 1; *see also*, S.C. Const. Art. VIII § 14 *Douglas v. McCleod*, 277 S.C. 76, 282 S.E.2d 604 (1981). By way of §22-8-10 *et. seq.* of the South Carolina Code of Laws, collectively referred to as the Magistrates Pay Act (hereinafter, "the Act"), the General Assembly has set the base magistrates must, but not the maximum magistrates may, be paid. §22-8-40(B, and K-L). Section 22-8-10(2) of the Act defines a "full-time magistrate" as "a magistrate who regularly works forty hours a week performing official duties required of a magistrate as a judicial officer." Under the act a "part-time magistrate" is one who regularly works less than 40 hours, and the "chief magistrate" is designated by the Chief Justice of the South Carolina Supreme Court as the chief magistrate for administrative purposes for the county in which he serves. S.C. Code Ann. § 22-8-10(1) and (3).

Section 22-8-40 is the operative statute governing pay to magistrates. Subsection (B) of § 22-8-40 sets full-time magistrate pay as a proportional fraction of the pay for circuit judges in a subject county; time of service and the population of a county also effect the pay. S.C. Code Ann. § 22-8-40(B)(1-2). Part-time magistrate pay is computed as a proportion of full-time magistrate



pay calculated by dividing the part-time magistrate's average weekly hours, including time scheduled to be spent on-call, by forty (40) hours. S.C. Code Ann. § 22-8-40 (F). The Act does not make a distinction between time actually working on-call and time "scheduled to be spent on-call". *Id.* A full-time chief magistrate is entitled to a yearly supplement of \$3,000 and reimbursement for travel expenses, a part-time chief magistrate is entitled to a supplement of \$1,500 and reimbursement for travel expenses. S.C. Code Ann. § 22-8-40 (G). A magistrate receiving a greater salary than is provided for in the Act may not have his salary reduced during his tenure in office. § 22-8-40(J). ROA 0008

3. The Case Law

The case law interpreting the Act is sparse. The Court has held that the act sets the base for magistrate pay, and that where full-time magistrates are paid more than their allotted amounts, part-time magistrates are likewise entitled to a proportionate increase. *Cox v. County of Florence*, 337 S.C. 340, 523 S.E. 2d 7776 (1999). Regarding on-call time and classification, the Court has held that part-time magistrates "were entitled to compensation for time 'scheduled to be spent on call,'" and that where Ramsey, a part-time chief magistrate, "was, in substance, performing the duties of [a] full-time Chief Magistrate . . . she was entitled to compensation" as a full-time chief magistrate. *Ramsey v. County of McCormick*, 306 S.C. 393, 397-398, 412 S.E. 2d 408, 411 (1991). In *Davis v. County of Greenville*, Greenville County informed several county magistrates, appointed by the Governor, that their positions were to be eliminated. 322 S.C. 73, 470 S.E.2d 94, (1996). The Court, in *Davis*, concluded that Greenville County did not have the authority to prematurely end the magistrates' tenures as the appointment of magistrates was within the purview of the Governor, and the number of magistrates to be funded was set by the Act.¹ *Id.*

¹ However the Court held, in *Graves v. County of Marion*, that a magistrate's pay could be decreased where the magistrate's salary had been increased due to a contract with the Town of

at 75 fn. 1 and 78. The Court's analysis and holdings in *Cox*, *Ramsey*, and *Davis* are most implicated in this matter.² ROA 0009

To the extent that issues implicated here are novel, the principles of statutory interpretation should resolve the inquiries. See, *Ramsey*, 306 S.C. at 396-397. The cardinal rule of statutory interpretation is to ascertain the intent of the legislature. *State v. Scott*, 351 S.C. 584, 588, 571 S.E.2d 700, 702 (2002); see also *Olson v. Faculty House of Carolina, Inc.*, 344 S.C. 194, 205, 544 S.E.2d 38, 44 (Ct. App. 2001) ("The quintessence of statutory construction is legislative intent."). "Where the words of a statute are clear and unambiguous its terms must be given their literal meaning." *Ramey*, 306 S.C. at 396; citing, *Duke Power Co. v. S. C. Tax Commission*, 292 S.C. 64, 354 S.E.2d 902 (1987). On the other hand, even when a statute is clear and unambiguous the Court should not read it in a way to foster an absurd result. See, *Stackhouse v. County Bd. of Comm'rs for Dillon County*, 86 S.C. 419, 68 S.E. 561 (S.C. 1910).

However plain the ordinary meaning of the words used in a statute may be, the Courts will reject that meaning, when to accept it would lead to a result so plainly absurd that it could not possibly have been intended by the legislature, or would defeat the plain legislative intention; and if possible will construe the statute so as to escape the absurdity and carry the intention into effect.

Id at 422.

It follows from a clear reading of the Act that the intent of the legislature in passing the Act was to ensure that magistrates were compensated for their service in a uniform and fair manner. See *Scott*, 351 S.C. at 588. "Courts should consider not merely the language of the particular clause being construed, but the word and its meaning in conjunction with the purpose of the whole

Mullins, and that contract was ended. 346 S.C. 742, 552 S.E.2d 709 (2001).

² Prior to the Act, the Court determined that the counties did not have the authority to set the pay for magistrates. *Douglas*, 322 S.C. 73. The Attorney General's office has issued two opinions on the act, concerning the calculation of pay and value of part-time magistrate positions, and magistrates' entitlement to health and other employment benefits. Atty. Gen. Op. 2001 S.C. AG LEXIS 129; and, Atty. Gen. Op. 2001 S.C. 135.

statute and the policy of the law." *Georgia-Carolina Bail Bonds, Inc.* at 24, 579 S.E.2d at 337
ROA 0010
(citing *Whitner v. State*, 328 S.C. 1, 492 S.E.2d 777 (1997)).

The governing law and the language of the magistrate's pay act, when effectuated in accord with the intent of the Act, demonstrate that (1) the Plaintiff is not entitled to on-call pay for time scheduled to be on-call as a full-time, (2) the Plaintiff is not entitled to on-call pay for time scheduled to be on-call as a part-time magistrate, (3) the Plaintiff should not have been reclassified as a part-time magistrate mid-term, (4) the Plaintiff is not entitled to a proportion of the voluntary supplement, and (5) the Plaintiff is not entitled to a proportion of the § 22-8-40(G) statutory supplement.

ANALYSIS

I. Plaintiff is not entitled to call pay during the time he served as a full-time magistrate.

Plaintiff asserts that the Act requires that he receive call pay during the time he served as a full-time magistrate. The court disagrees.

"The cardinal rule of statutory construction is a court must ascertain and give effect to the intent of the legislature." *State v. Scott*, 351 S.C. 584, 588, 571 S.E.2d 700, 702 (2002) (citing *Charleston Cnty. Sch. Dist. v. State Budget & Control Bd.*, 313 S.C. 1, 437 S.E.2d 6 (1993)); *Florence Cnty. Democratic Party v. Florence Cnty. Republican Party*, 398 S.C. 124, 128, 727 S.E.2d 418, 420 (2012). "What a legislature says in the text of a statute is considered the best evidence of the legislative intent or will." *Scott, supra* (quoting Norman J. Singer, Sutherland Statutory Construction § 46.03 at 94 (5th ed.1992)). Therefore, "[i]f a statute's language is plain, unambiguous, and conveys a clear meaning 'the rules of statutory interpretation are not needed and the court has no right to impose another meaning.'" *Id.* (quoting *Hodges v. Rainey*, 341 S.C. 79, 85, 533 S.E.2d 578, 581 (2000)); see also *State v. Pittman*, 373 S.C. 527, 561, 647 S.E.2d 144, 161

(2007) (“All rules of statutory construction are subservient to the maxim that legislative intent must prevail if it can be reasonably discovered in the language used.”). ROA 0011

Here, the Act refers to call pay in only one paragraph. Section 22-8-40(F) states:

Part-time magistrates are entitled to a proportionate percentage of the salary provided for full-time magistrates. This percentage is computed by dividing by forty the number of hours a week the part-time magistrate spends in the performance of his duties. The number of hours a week that a part-time magistrate spends in the exercise of the judicial function, *and scheduled to be spent on call*, must be the average number of hours worked and is fixed by the county governing body upon the recommendation of the chief magistrate. However, a part-time magistrate must not work more than forty hours a week, unless directed to do so on a limited and intermittent basis by the chief magistrate.

Id. (emphasis added). The South Carolina Supreme Court interpreted that provision in *Ramsey v. County of McCormick*, 306 S.C. 393, 412 S.E.2d 408 (1991). The Court noted that § 22-8-40(F)³ “deals specifically with *part-time* magistrates’ compensation.” *Id.*, 306 S.C. at 397, 412 S.E.2d at 410 (emphasis added). The Court then held that “the Circuit Court correctly held that *part-time* magistrates are entitled to compensation for time ‘scheduled to be spent on call.’” *Id.*, 412 S.E.2d at 411 (emphasis added).

The legislative intent of § 22-8-40(F) is obvious. Per the holding in *Ramsay*, to fix a part-time magistrate’s pay based on a limited number of hours, and then require him to serve call duty without pay when those hours were exceeded, would be inherently inequitable. Conversely, a full-time magistrate is paid a full salary regardless of the number of hours worked. Had the legislature intended to require the payment of call pay for full-time magistrates, it could have done so. Nowhere else in the Act is there any reference to “call.” “[W]hat a legislature says in the text of a statute is considered the best evidence of the legislative intent or will.” *Scott, supra*. Clearly, the legislature did not intend for full-time magistrates to be entitled to additional call pay.

³ Formerly 22-8-40(D).

Accordingly, Plaintiff is due no call pay for the period of time that he served as a full-time magistrate. ROA 0012

II. The Plaintiff is not entitled to call pay for all times scheduled to be on call as a part time magistrate.

The Plaintiff asserts that he is entitled to pay for all time scheduled to be on call both as a part-time and full-time magistrate. It is uncontested that, had Plaintiff been officially appointed a part-time magistrate, Plaintiff would have been entitled to call pay for time spent on call. The Defendant successfully contests Plaintiff's entitlement to call pay as a full-time magistrate. (see part I, supra). Normally, Plaintiff would be entitled to call pay for all times scheduled to be on call as a part-time magistrate. However, as discussed in section III below, the court finds Plaintiff was incorrectly reclassified from a full-time magistrate to a part-time magistrate, and damages are being awarded to compensate Plaintiff for this improper reclassification. As explained previously, a full-time magistrate is not entitled to call pay. Therefore, to avoid double compensation, Plaintiff will not be compensated for times scheduled to be on call as a part time magistrate for the period between June, 2011 and February 9, 2012.

Additionally, the court is uncertain whether the full rate of \$22.25 would be appropriate payment for merely being on call. Certainly, some compensation for the inconvenience of being unable to leave the county or begin unable to make definite plans would be warranted. However, as previously stipulated, a magistrate who was on call did not have to remain at his office the entire time. He was free to enjoy other pursuits, and he only had to come in periodically for bond court or to sign warrants when requested by law enforcement. Accordingly, even had this court found that Plaintiff was entitled to call pay, the court would not have set call pay at Plaintiff's full hourly rate.

III. The Plaintiff should not have been reclassified from a full-time magistrate to a part-time magistrate during his term of office and is entitled to damages. ROA 0013

The Plaintiff was appointed to the position of full-time magistrate by Governor Mark Sanford, with the advice and consent of Senator Ronnie Cromer. In June, 2011, before the expiration of his term on February 9, 2012, Plaintiff was "reassigned" to be a part-time magistrate through oral instructions of the Senator and a letter from Newberry County Part-Time Chief Magistrate Arthur Jayroe. (Stipulated Facts ¶12). Article Five, Section 26 of the South Carolina Constitution provides:

The Governor, by and with the advice and consent of the Senate, shall appoint a number of magistrates for each county as provided by law. The General Assembly shall provide for their terms of office and their civil and criminal jurisdiction. The terms of office must be uniform throughout the State.

Pursuant to the South Carolina Constitution, Plaintiff could not be "reassigned" by the Senator or Magistrate Jayroe to the position of part-time magistrate, a separate position also subject to gubernatorial appointment. (See, Stipulated Facts ¶ 1). Furthermore, § 22-8-40(J) prohibited the reduction of Plaintiff's salary mid-tenure; Plaintiff's salary was reduced by the unauthorized reassignment, and the Defendant is liable for the same. See, Atty. Gen. Op. 2001 S.C. 135; see also, S.C. Code Ann. 22-8-40(H). This Court holds, consistent with the Supreme Court's holdings in *Davis* and *Douglas*, that the Plaintiff's transfer was inappropriate, and consequently, he is entitled to damages for the same.⁴ *Davis*, 322 S.C. 73; and, *Douglas*, 277 S.C. 76 (prior to the Act).

The Plaintiff is entitled to an award of \$21,805 for lost income caused by his unauthorized reassignment to the position of part-time magistrate (calculated by multiplying his stipulated

⁴ This case is distinct from *Graves*, where the subject magistrate's salary was increased due to a contract with the Town of Mullins and decreased upon the lawful conclusion of that contract. 342 S.C. 472).

hourly wage by 40 hours by 35 weeks (June 3, 2011 to February 9, 2012) and subtracting from the product the wages Plaintiff received as a part-time magistrate for the subject period). (See, Stipulated Facts ¶¶ 2 and 7). ROA 0014

IV. Plaintiff is not entitled to a portion of the supplemental full-time magistrate's pay the County voluntarily provided by resolution to the Newberry County Magistrate's Court.

Plaintiff contends that he is entitled to a portion of the \$4,500 in supplemental pay the County voluntarily agreed by resolution to provide to the magistrate's court. Plaintiff complains that Chief Magistrate Arthur Jayroe began keeping the entire supplement for himself in December 2005. Prior to this time, the two full-time magistrates who performed the administrative duties of the magistrate court had agreed to divide the supplement equally between them.

The Act does not mandate the supplement at issue. Thus, the County had no legal duty to provide it. Once paid into the magistrate's court, the County lost control over it. *See Sheppard v. Richland County General Sessions*, 2013 WL 1686278, at *2 (D.S.C. Mar. 27, 2013) ("Horry County Magistrate Court [is] within the State of South Carolina's unified judicial system.") (citing Article V, Section 1 of the Constitution of the State of South Carolina) ("The judicial power shall be vested in a unified judicial system, which shall include a Supreme Court, a Court of Appeals, a Circuit Court, and such other courts of uniform jurisdiction as may be provided for by general law.")). As the court stated in *Dunbar v. Metts*, 2011 WL 1480279, at *5 (D.S.C. Mar. 31, 2011) (emphasis added; footnote omitted):

Moreover, the City of Lexington or the Lexington City Council cannot be held responsible for actions taken by the Municipal Court for the City of Lexington, the Magistrate's Court for Lexington County, and the Court of General Sessions (Circuit Court) for Lexington County. It can be judicially noticed that, in South Carolina, a county's authority over courts within its boundaries was abolished when Article V of the Constitution of the State of South Carolina was ratified in 1973. See Act No. 58, 1973 S.C. Acts 161; Article V, Section 1 of the Constitution of the State of South

Carolina; and State ex rel. McLeod v. Civil and Criminal Court of Horry County, 265 S.C. 114, 217 S.E.2d 23, 24 (1975). Under the current version of Article V, Section 1, *the Supreme Court of South Carolina, not the City of Lexington or Lexington County, retains the sole authority to supervise magistrates' courts in Lexington County, municipal courts in Lexington County, and the Circuit Court for Lexington County.*

ROA 0015

The parties stipulate that the “[t]he voluntary supplement was not mandated by law.” Once the County relinquished control of the voluntary supplement, it lost the right and responsibility to dictate its allocation. Thus, the County is not liable for the actions of Judge Jayroe when he chose to allocate that supplement to himself.

Accordingly, the County is not liable to Plaintiff for any portion of the voluntary supplement it provided to the magistrate’s court.⁵

V. Plaintiff is not entitled to a portion of the Section 22-8-40(G) statutory supplement required by the Act.

The Act provides:

A full-time *chief magistrate* must be paid a yearly supplement of three thousand dollars and reimbursed for travel expenses as provided by law while in the actual performance of his duties. A part-time *chief magistrate* must be paid a yearly supplement of fifteen hundred dollars and reimbursed for travel expenses as provided by law while in the actual performance of his duties.

S.C. Code § 22-8-40(G) (emphasis added). “Chief magistrate” is defined by the Act as “the magistrate in each county who is designated by the Chief Justice of the South Carolina Supreme Court as the chief magistrate for administrative purposes for the county which he serves.” *Id.* § 22-8-10(1).

Plaintiff misreads *Ramsey*. There, the issue was whether a properly designated chief magistrate was entitled to the full-time or lesser part-time supplement for chief magistrates. Here,

⁵ To the extent Plaintiff has a claim against anyone for these funds, it would appear to be more correctly directed at Chief Magistrate Arthur Jayroe, not the County. In fact, Plaintiff initially named Judge Jayroe in this action but voluntarily dismissed him as a defendant.

the parties stipulate that "[a]t no time while he served as a magistrate was [Plaintiff] ever appointed
ROA 0016
by the South Carolina Supreme Court as the Chief Magistrate." Under the plain language of the
Act, this claim fails.

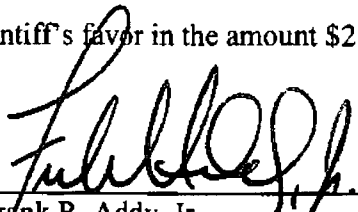
CONCLUSION

Based on the above, the court hereby orders the following:

- A. Plaintiff is not entitled to call pay during the time he served as a full-time magistrate;
- B. Because of the findings in Section III, Plaintiff is not entitled to call pay for the times he was scheduled to be on call between June 3, 2011 and February, 2012;
- C. Plaintiff is entitled to \$21,805 for reduced compensation caused by the unauthorized reassignment of Plaintiff to a part-time position mid-tenure;
- D. The County is not liable to Plaintiff for any portion of the voluntary supplement it provided to the magistrate's court; and,
- E. Plaintiff is not entitled to the statutory supplement required by Section 22-8-40(G) of the Act because he was never appointed by the South Carolina Supreme Court as Newberry County Chief Magistrate.

Accordingly, judgment shall be entered in Plaintiff's favor in the amount \$21,805.00.

IT IS SO ORDERED.



Frank R. Addy, Jr.
Eighth Judicial Circuit

July 3, 2014
Greenwood, South Carolina

STATE OF SOUTH CAROLINA	)	BEFORE THE COUNTY COUNCIL
	)	
COUNTY OF NEWBERRY	)	
In re:	)	COUNTY COUNCIL DECISION
	)	
Arthur L. Jayroe Jr.,	)	
	)	
Petitioner	)	
	)	

On or about March 11, 2015, Petitioner, Arthur L. Jayroe, a former part-time magistrate judge in Newberry County, filed a petition for redress of compensation actions against Respondent, Newberry County, pursuant to the South Carolina Magistrate's Pay Act, S.C. Code Ann. §§ 22-8-10 through 22-8-50, and the South Carolina Payment of Wages Act, S.C. Code Ann. §§ 41-10-10 through 44-1-110. The Magistrate's Pay Act specifies the compensation structure for South Carolina magistrate judges. The Payment of Wages Act requires generally that every South Carolina employer pay all wages due to employees at the appropriate time and place.

On October 27, 2015, Newberry County Council convened a hearing for the purpose of hearing Mr. Jayroe's petition and Newberry County's response. At the hearing, Mr. Jayroe was represented by Attorney Desa Ballard of Ballard & Watson. Newberry County was represented by Attorneys Chris Gantt-Sorenson and Perry MacLennan of Haynsworth Sinkler Boyd.

Two witnesses testified at the hearing: Mr. Jayroe and Newberry County Administrator Wayne Adams. The hearing was recorded and transcribed by a Notary Public who administered the oath to both witnesses. Each party's hearing exhibits are included in the hearing transcript.

Six members of Newberry County Council were present for the hearing: Buddy Livingston, Chairman; Scott Cain; Steve Stockman; Les Hipp; Bill Waldrop; and Travis Reeder. Council member Kirksey Koon recused himself from the matter. Attorney David Dubberly of Nexsen Pruet was employed by County Council to advise and assist County Council with the conduct of the hearing.

At the hearing, Mr. Jayroe requested, based on S.C. Code Ann. § 22-8-40(F), that he be paid for all hours he was scheduled to be on call for the last three years of his employment as a magistrate, or, in the alternative, that he be treated as a full-time magistrate for compensation purposes.

Mr. Jayroe also requested, based on S.C. Code Ann. § 22-8-40(J), payment for on-call time for the last ten months of his employment under the County's plan to compensate for on-call duties that had been in place from 1995 until 2014. The plan started in 1995 was replaced with a new plan that went into effect in September 2014. Under the new plan, Mr. Jayroe's overall compensation decreased.

Finally, Mr. Jayroe argued that pursuant to the Payment of Wages Act he is entitled to treble damages and attorney's fees on wages due to him. S.C. Code Ann. § 41-10-80(C) provides that if an employer fails to pay wages due, the employee "may recover in a civil action an amount equal to three times the full amount of the unpaid wages, plus costs and reasonable attorney's fees."

On December 16, 2015, both parties filed proposed findings of fact and conclusions of law.

County Council, having carefully considered the hearing testimony and exhibits as well as the arguments of counsel, hereby issues its findings of fact and conclusions of law.

FINDINGS OF FACT

The following findings of fact are supported by the witness testimony and exhibits presented at the hearing.

1. Mr. Jayroe is a CPA. He has maintained an active accounting practice in Little Mountain, South Carolina since 1984.

2. Mr. Jayroe served as a part-time magistrate in Newberry County from 1995 until 2015. He served as Associate Chief Magistrate from 2000 until 2005, and as Chief Magistrate from 2005 until 2015.

3. As a magistrate, Mr. Jayroe held office hours for six hours per week (three hours two days per week). He held his magistrate office hours at his accounting firm. In addition, he had on-call duties.

4. As of 2005 when he became Chief Magistrate, Mr. Jayroe set the after-hours on-call schedule for magistrates in Newberry County. By order of the Chief Justice of the South Carolina Supreme Court, it was the Chief Magistrate's responsibility to "Establish with the other magistrates of the county, a schedule so arranged that a magistrate will be available, in person or on call, in the county to issue warrants and conduct bail proceedings."

5. In 1995, Newberry County Council had voted to pay a stipend of \$4,500 to compensate for magistrate weeknight on-call duties regardless of the number of on-call hours worked. The stipend continued to be paid until 2014. Per meeting minutes from

1995, the stipend was to be "split ... between Chief Magistrate and Assistant Magistrate." (There was no "Assistant Magistrate" in Newberry County, but there was, from time to time, an Associate Chief Magistrate, and there were other magistrates who assisted with weeknight on-call duties.)

6. Starting in July 2005, Mr. Jayroe was paid his regular salary, which covered his six office hours and four additional hours (the four additional hours were intended to compensate for weekend on-call duties), and a \$1,500 part-time Chief Magistrate supplement in accordance with the Magistrate's Pay Act. In addition, he directed that the \$4,500 on-call stipend be shared between himself and another magistrate. Starting in December 2005, Mr. Jayroe assigned himself all weeknight on-call hours for 49 to 50 weeks of the year and he directed that the entire \$4,500 stipend be paid to himself.

7. Mr. Jayroe testified that he was on call for 3,500 to 4,000 hours per year or about 77.5 hours per week (every hour between midnight on Sunday night and midnight on Friday night outside of normal business hours). While on call, he was somewhat restricted in terms of travel and conduct, but he was generally free to live his life without interruption. Only rarely was it necessary for him to perform magisterial duties while on call.

8. Mr. Jayroe continued to receive the entire \$4,500 on-call stipend until it was discontinued. Effective in September 2014, Newberry County replaced the \$4,500 stipend with a plan to pay for on-call hours actually worked by each magistrate. In transitioning to the new plan, Newberry County offered payments to its part-time

magistrates, including Mr. Jayroe, to compensate for any on-call hours actually worked during the prior three years.

CONCLUSIONS OF LAW

Scheduled On-Call Hours Issue; Alternative Full-Time Status Issue

1. S.C. Code Ann. § 22-8-10(3) defines a part-time magistrate as "a magistrate who regularly works less than forty hours per week performing official duties required of a magistrate as a judicial officer." S.C. Code Ann. § 22-8-40(F) sets out how part-time magistrates are to be paid; it states:

Part-time magistrates are entitled to a proportionate percentage of the salary provided for full-time magistrates. This percentage is computed by dividing by forty the number of hours a week the part-time magistrate spends in the performance of his duties. The number of hours a week that a part-time magistrate spends in the exercise of the judicial function, and scheduled to be spent on call, must be the average number of hours worked and is fixed by the county governing body upon the recommendation of the chief magistrate. However, a part-time magistrate must not work more than forty hours a week, unless directed to do so on a limited and intermittent basis by the chief magistrate.

2. Mr. Jayroe asserts that the phrase "scheduled to be spent on call" in the third sentence of S.C. Code Ann. § 22-8-40(F) indicates part-time magistrates should be paid for both (1) all hours spent performing magistrate functions and (2) all scheduled on-call hours including scheduled on-call hours in which no work was performed. Per his testimony, Mr. Jayroe scheduled himself to be on-call for 3,500 to 4,000 hours per year or about 77.5 hours per week, but only rarely did he perform magisterial duties while on call.

3. Council does not believe the General Assembly intended for part-time magistrates to be paid for all hours scheduled to be on call in addition to hours actually worked. In interpreting a statute, the language "must be read in a sense which

harmonizes with its subject matter and accords with its general purpose.” *Multi-Cinema, Ltd. v. South Carolina Tax Comm.*, 292 S.C. 411, 413, 357 S.E.2d 6, 7 (1987). Reading S.C. Code Ann. § 22-8-40(F) as a whole, the first two sentences indicate that part-time magistrates are to be paid a “proportionate percentage of the salary provided for full-time magistrates.” The proportionate percentage is calculated by dividing by 40 “the number of hours a week the part-time magistrate spends in the performance of his duties.” And per the last sentence of § 22-8-40(F), the number of compensable hours worked must usually be less than 40. Thus, part-time magistrates are to be paid a proportionate percentage of a full-time magistrate’s salary based on the number of hours, usually under 40, worked in a week.

4. Also, paying for hours scheduled to be on call but not “performing official duties” would yield an absurd result in a case like this in which a part-time Chief Magistrate scheduled himself to be on call for 77.5 hours almost every week for years. It would result in Mr. Jayroe as a six-hour per week magistrate being paid twice as much as a full-time magistrate. We do not believe the General Assembly intended such a result. “[A] statute must receive a practical, reasonable, and fair interpretation consonant with the purpose, design, and policy of the lawmakers.” *Carolina Alliance for Fair Employment v. S.C. Dept. of Labor, Licensing, and Regulation*, 337 S.C. 476, 490, 523 S.E.2d 795, 802 (Ct. App. 1999). We cannot accept an interpretation which “torture[s] the meaning of the statute.” *Santee Cooper Resort, Inc. v. South Carolina Public Serv. Comm’n*, 298 S.C. 179, 184, 379 S.E.2d 119, 122 (1989).

5. Mr. Jayroe claims our Supreme Court’s decision in *Ramsey v. County of McCormick*, 306 S.C. 393, 412 S.E.2d 408 (1991), supports his contention that he must

be compensated for all scheduled on-call time. *Ramsey* appears to hold that part-time magistrates who were scheduled to be on call every fourth weekend should be compensated for their scheduled on-call hours. *Id.* 306 S.C. at 396-397, 412 S.E.2d at 410. But there is no indication in *Ramsey* that a part-time magistrate like Mr. Jayroe who assigned himself on call duties almost every weeknight for a total of 3,500 to 4,000 hours per year should be compensated for such hours.

6. At the hearing in this matter, Mr. Jayroe argued, in the alternative, that even though he was a part-time magistrate, he may be treated for compensation purposes as a full-time magistrate given the many hours he scheduled himself to be on call. Thus, he stated, the County could pay him a full-time magistrate's salary for the last three years of his employment in lieu of compensation for each of the 3,500 to 4,000 hours he was scheduled to be on call.

7. Mr. Jayroe claims the *Ramsey* decision supports his argument on this issue as well. In *Ramsey*, our Supreme Court held that a magistrate who was classified as part-time, but held office hours for 40 hours per week, from 9:00 a.m. to 5:00 p.m. every weekday, was "in substance" a full-time magistrate and entitled to be paid accordingly. *Id.* 306 S.C. at 397, 412 S.E.2d at 411. Mr. Jayroe, however, did not work 40 hours per week or hold a schedule that was even close to full-time. He held office hours for six hours per week (three hours two days per week). He maintained, and still maintains, an active CPA practice. Accordingly, we believe it would be inappropriate to compensate him as a full-time magistrate.

Salary Reduction Issue

8. We turn next to Mr. Jayroe's contention that Newberry County violated S.C. Code Ann. § 22-8-40(J) as to him when it discontinued the \$4,500 stipend and implemented a new plan to compensate part-time magistrates for on-call duties. Section 22-8-40(J) restricts reductions in magistrate salaries; it states:

A magistrate who is receiving a salary greater than provided for his position under the provisions of this chapter must not be reduced in salary during his tenure in office, and must be paid the same percentage annual increase in salary as other magistrates. Tenure in office continues at the expiration of a term if the incumbent magistrate is reappointed.

9. Section 22-8-40(J) does not appear to apply to Mr. Jayroe for two reasons. First, he testified at the hearing in this matter that he was not "receiving a salary greater than provided for his position under the provisions of" the Magistrate's Pay Act. Mr. Jayroe's salary was calculated based on the Act, specifically § 22-8-40(B) and (F). His salary as thus calculated was not reduced.¹ The \$4,500 stipend was not required by the statute and was not part of his salary as determined based on the statute.

10. Second, Mr. Jayroe testified that the \$4,500 stipend was not intended specifically for him. It was started in 1995, ten years before he became Chief Magistrate. Moreover, two of the undersigned were on Council in 1995, and each of the undersigned voted at various times to renew the stipend. We did not intend the stipend

¹ Mr. Jayroe now argues that the \$4,500 on-call stipend "was never designated or paid as a 'stipend' or a 'supplement'" and that it was part of his salary. What the payment is called is not outcome-determinative, but we point out that that Mr. Jayroe referred to the payment as a "stipend" in his petition and in his communications directing how the payment was to be applied; and in his testimony he referred to the payment as a "stipend," a "supplement," and "supplemental compensation."

to be considered a part of any particular magistrate's salary, but rather to be shared with magistrates who provided on-call services.

Payment of Wages Act Issue

11. After careful consideration of the evidence presented in this case and the parties' arguments, we conclude that Newberry County paid Mr. Jayroe all wages due to him and he is owed no additional compensation. Accordingly, he is not entitled to recover treble damages or attorney's fees under the Payment of Wages Act.²

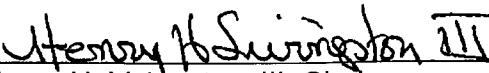
IT IS THEREFORE DECIDED that Newberry County Council rejects Mr. Jayroe's petition. The findings and conclusions set forth herein are hereby made the Decision of County Council.

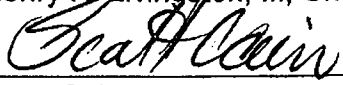
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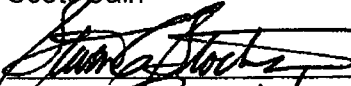
² Even if Mr. Jayroe were owed additional compensation, he would not necessarily be entitled to recover treble damages and attorney's fees; those remedies are not awarded where there was a good faith dispute over wages due. See *Futch v. McAllister Towing of Georgetown, Inc.*, 335 S.C. 598, 605, 518 S.E.2d 591, 594 (1999)(declining to reinstate trial court's award of treble damages and attorney's fees because there was bona fide dispute about whether employer owed employee any wages); *Rice v. Multimedia, Inc.*, 318 S.C. 95, 99-100, 456 S.E.2d 381, 383 (1995)(affirming trial court's refusal to treble damages where there was bona fide dispute over wages allegedly due). Accordingly, had we concluded that Newberry County owed Mr. Jayroe additional wages, we would then have examined whether the County had legitimate reasons for disagreeing in good faith with Mr. Jayroe's claim before reaching a conclusion regarding his entitlement to treble damages and attorney's fees.

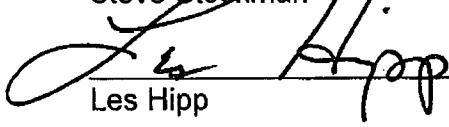
ROA 0026

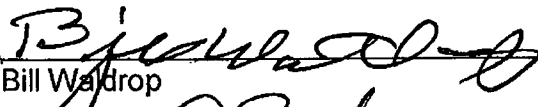
Respectfully submitted,


Henry H. Livingston, III, Chairman


Scott Cain


Steve Stockman


Les Hipp


Bill Waldrop


Travis Reeder

Newberry, South Carolina
February 3, 2016

STATE OF SOUTH CAROLINA	)	BEFORE THE COUNTY COUNCIL
	)	
COUNTY OF NEWBERRY	)	
In re:	)	
	)	PETITION FOR REDRESS
Arthur L. Jayroe Jr.,	)	Re: Compensation
	)	
Petitioner	)	
_____	)	

Pursuant to S.C. Code Ann. § 22-8-50, Petitioner submits this Petition to the governing body of the county for determination of additional compensation due to him as set forth herein.

In support of his Petition, Petitioner would show:

1. Petitioner is a part-time magistrate in Newberry County, most recently having been reappointed by the Governor for a four-year term beginning on April 30, 2011.
2. In or about September, 1995, County Council approved a continuing annual stipend of \$4,500.00 for payment to the Chief Magistrate and Assistant Magistrate, if any, as additional compensation for providing weeknight on-call duties.
3. Since 2006, Petitioner has been scheduled to and has provided on-call services for the county magistrate's courts for weeknight call, being available for after-hours weeknight call for approximately fifty (50) weeks per year. When he is out of town and cannot provide on-call availability for any specific weeknight, he has obtained coverage for that call from another Newberry County Magistrate.
4. In each year since 2006, Petitioner has been on call, and provided services as necessary, in addition to his regular Magistrate duties and his duties as Chief Magistrate, for a period of time in excess of 3,500 hours per year. Providing this availability restricts Petitioner's ability to travel and make use of time that would otherwise be personal time.

5. Since 2006, Petitioner has been compensated for providing on-call availability for weeknight days annually by the \$4,500.00 payment. These funds have been paid to Petitioner as part of his annual compensation from Newberry County.
6. By letter dated August 28, 2014 and confirmed September 9, 2014, County Administrator Wayne Adams (hereafter "Adams") notified Petitioner that "we have discontinued the stipend." Adams was referring to the annual payment which had been serving as compensation to Petitioner for the on-call coverage he has provided annually for the Newberry County Magistrate's Court. Since that date, Petitioner's compensation has been decreased accordingly and he has not been compensated for any of the still necessary on-call time he has been assigned or provided since that date.
7. Petitioner's compensation has been reduced during the term of his office, in violation of S.C. Code Ann. § 22-8-40(j) by the unilateral action of County Administrator Adams, apparently without decision of County Council and in violation of the cited statute.
8. On or about August 28, 2014, Adams also notified Petitioner that the County "may not have been fully compliant with the Magistrate's Pay Act" by reporting that the amount due to Petitioner for "hours worked over [his] set weekly hours" had not been paid to him "over the last three years." However, Petitioner has not yet been paid the funds determined by Adams to be due to him. Adams has refused to release the funds unless Petitioner executes a full release in favor of the county, which requirement is contrary to state wage and hour law and the Magistrate's Pay Act.

9. Adams' refusal to pay compensation to Petitioner known to be due to him is a violation of S.C. Code §§ 41-10-40, 41-10-50, and 41-10-60.
10. Adams has purported to establish a requirement for future payment of compensation for on-call duty by Petitioner and other part-time magistrates that contravenes the provisions of Magistrate's Pay Act, including but not limited to S.C. Code Ann. § 22-8-40. Adams' new policy provides, *inter alia*, that magistrates cannot be paid for on-call time, can only be paid for actual hours worked, and may only be paid for travel as approved by County Council.
11. The annual stipend of \$4,500 which has previously been paid to Petitioner was insufficient to compensate Petitioner for the total on-call hours he was required to be available per year, and additional compensation for hours Petitioner has been available on-call are presently due to Petitioner.
12. On information and belief, part-time magistrates are paid on an hourly basis for services provided and time assigned to be on-call.
13. On information and belief, Petitioner is entitled to the same perquisites as those employees of the county of similar position and salary pursuant to S.C. Code Ann. § 22-8-40(H). Petitioner seeks an inquiry to determine whether he has been provided with the same pay increases as have been awarded to members of County Council and to other Newberry County magistrates during his term(s) as a part-time magistrate, and if not, to be paid all sums due to him under applicable provisions of law.
14. Petitioner has incurred attorney fees in proceeding with this action, and seeks to be reimbursed for the cost of the attorney fees and costs he has incurred in bringing and pursuing this petition to conclusion.

Wherefore, Petitioner seeks the following:

- A. A determination from County Council that he has been denied compensation to which he is entitled, to wit:
 - a. The elimination of the week-night on-call stipend from August 28, 2014 to present;
 - b. Additional sums due to him for weeknight and weekend¹ on-call assignment which the County has determined is due but has not yet paid since 2006;
- B. In the alternative, such other compensation for his Magistrate position as a court of competent jurisdiction may deem necessary or appropriate in light of the hours which he has worked and provided on-call coverage;
- C. Petitioner seeks an award of treble the unpaid amount of compensation due to him but as of yet unpaid; and
- D. An award of the attorney fees and costs incurred by him in connection with this proceeding.

Respectfully submitted,



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March 11, 2015

ATTORNEY FOR PETITIONER

¹ In addition to providing all week day night call, Petitioner (and each of the other magistrates) provides weekend call every fifth (5th) weekend in rotation, subject to such changes as the Chief Judge may determine necessary to meet the needs of the magistrate's court.

STATE OF SOUTH CAROLINA

COUNTY OF NEWBERRY

In re:

Arthur L. Jayroe, Jr.,

Petitioner

ROA 0031
BEFORE THE COUNTY COUNCIL

**RESPONSE TO PETITION
FOR REDRESS**

The County of Newberry hereby responds to the above-referenced Petition for Redress and would show unto this honorable County Council as follows:

1. The County admits the allegations contained in Paragraph 1 of the Petition.
2. The County admits those allegations contained in Paragraph 2 of the Petition which allege that the County Council approved an annual stipend of \$4,500 for payment to Petitioner as additional compensation for providing on-call services in part, but denies the remaining allegations contained therein.
3. The County admits those allegations contained in Paragraph 3 of the Petition which allege that the Petitioner has been scheduled to and has provided on-call services but is without information or knowledge to form an opinion or belief as to the allegations contained therein referring to Petitioner's obtaining coverage for those instances he would not be available and, therefore, denies same. The County denies that Petitioner was available for after-hours weekend call for approximately fifty weeks in the year and would demand strict proof thereof.
4. The County admits those allegations contained in Paragraph 4 of the Petition which allege that Petitioner has been scheduled to be on-call during certain times since 2006 in addition to his regular duties as Magistrate and Chief Magistrate, but denies the remaining allegations contained therein and would affirmatively show that, predominately, Petitioner was

able to use his time as his own when he was on-call except for when he was called to the office to handle those duties after-hours and on the weekend that are required of his office. ROA 0032

5. The County admits those allegations contained in Paragraph 5 of the Petition which allege that Petitioner received an additional \$4,500 stipend annually for a period of time and that those funds were paid by the County, but the County denies the remaining allegations contained therein.

6. The County admits those allegations contained in Paragraph 6 of the Petition which allege that, by letter dated August 28, 2014, the County advised Petitioner that the County has discontinued the stipend and that the County attempted to compensate Petitioner for on-call duties thereafter, but denies the remaining allegations contained therein.

7. The County denies the allegations contained in Paragraph 7 of the Petition.

8. The County admits those allegations contained in Paragraph 8 of the Petition which allege that the County attempted to reconcile any issues regarding on-call pay with Petitioner by providing him with the lump sum payment in the same vein as provided to the other Magistrates of the County and that Petitioner refused to accept and/or execute the release in exchange for the payment, but denies the remaining allegations contained therein.

9. The County denies the allegations contained in Paragraph 9 of the Petition.

10. The County admits those allegations contained in Paragraph 10 of the Petition which allege that the County pays Magistrates for time actually spent performing magistrate-related duties when on-call and for travel, but denies the remaining allegations contained therein.

11. The County denies the allegations contained in Paragraph 11 of the Petition.

12. The County believes the allegations contained in Paragraph 12 of the Petition pertain to a legal conclusion such that no response is necessary. However, to the extent that the allegations contained in Paragraph 12 pertain to the County, the same are denied.

13. The County denies those allegations contained in Paragraph 13 of the Petition which allege that Petitioner is entitled to be paid the same as employees of the County who hold similar salaries and positions, would allege that the statutory authority cited speaks for itself such that any recitation therein is denied, and that the remaining allegations contained in Paragraph 13 of the Petition pertain to relief sought by Petitioner and do not require a response from the County. To the extent that there are any remaining allegations contained in Paragraph 13 of the Petition against the County, the same are denied.

14. The County believes that Paragraph 14 of the Petition pertains to the relief sought such that no response on behalf of the County is necessary. By way of further response, the County denies that the Petitioner is entitled to the relief sought in Paragraphs 13, 14 and the Wherefore clause.

15. The County denies any allegations not expressly admitted herein.

FOR A FIRST DEFENSE

16. Petitioner failed to assert the allegations contained in his Petition within the applicable period of limitations, such that any claims for unpaid compensation falling outside of the applicable limitations period must fail as a matter of law.

FOR A SECOND DEFENSE

17. The County acted in good faith pursuant to 29 U.S.C. §259 or any other applicable authority, statutory, legal, or otherwise, and, thus, Petitioner's claims are barred in

ROA 0034

whole and/or for claims for exemplary, liquidated or treble damages should be barred as a matter of law.

FOR A THIRD DEFENSE

18. Petitioner's claims under the South Carolina Payment of Wages Act are preempted in whole or in part by the Fair Labor Standards Act, 29.U.S.C. §201, et seq.

FOR A FOURTH DEFENSE

19. Petitioner is considered an exempt employee under the Fair Labor Standards Act, specifically the administrative exemption, and is not considered an hourly employee such that he is not entitled to hourly or on-call pay.

FOR A FIFTH DEFENSE

20. Petitioner, even assuming he is considered an hourly employee, and the same is denied, is barred from being paid for any on-call hours not worked pursuant to the Circuit Court's opinion in Abraham v. Newberry County, C.A. 2011-CP-36-464, State of South Carolina, County of Newberry, in the Court of Common Pleas, guidance from the Fair Labor Standards Act regulations, specifically 29 C.F.R. §§785.14-.17 and other pertinent State Court guidance.

FOR A SIXTH DEFENSE

21. Petitioner was properly paid pursuant to S.C. Code Ann. §22-8-30(F).

FOR A SEVENTH DEFENSE

22. Petitioner failed to comply with his duties outlined in S.C. Code Ann. §22-8-30(F) in failing to make a recommendation to the County for the average number of hours worked by part-time magistrates in the County.

23. As a result, Petitioner is estopped from recovering hereunder due to his failure to comply with those duties outlined in S.C. Code Ann. §22-8-30(F).

ROA 0035

24. Furthermore, Petitioner is barred from recovering under the doctrines of laches, unclean hands, and waiver for his failure to comply with his dues outlined in S.C. Code Ann. §22-8-30(F).

FOR AN EIGHTH DEFENSE

25. To the extent that Petitioner is entitled to recovery, and the same is denied and asserted herein only for the purpose of this affirmative defense, the same should be limited to two (2) years as outlined in the Fair Labor Standards Act or, alternatively, three (3) years as outlined in the pertinent time periods established by the South Carolina Payment of Wages Act, specifically S.C. Code Ann. §41-10-80(C), and established by S.C. Code Ann. § 15-3-520(2).

FOR A NINTH DEFENSE

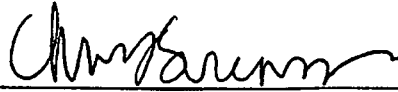
To the extent that Petitioner is awarded a recovery, and the entitlement to same is denied, he is not entitled to an award of treble damages because the County believed it was acting in good faith on the basis of the Court's ruling in Abraham v. Newberry County.

FOR A TENTH DEFENSE

26. Without waiving any other claims and/or defenses upon which it continues to rely, in the alternative, the County gives notice that it intends to rely upon any other defenses that may become available or apparent during its investigation of Petitioner's claims and/or any discovery proceedings in this matter, and hereby reserves its right to amend its answer and to assert any such defense.

WHEREFORE, having fully answered the Petition, the County prays that the Petition be dismissed with prejudice with no recovery to the Petitioner, that the County Council award the County its costs and legal fees incurred in defending the Petition, and for such other and further relief in favor of the County as the County Council may seem just and proper.

HAYNSWORTH SINKLER BOYD, P.A.,



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April 13, 2015

Greenville, South Carolina

Attorneys for the County of Newberry

STATE OF SOUTH CAROLINA)

BEFORE THE COUNTY COUNCIL

COUNTY OF NEWBERRY)

In re:)

Arthur L. Jayroe Jr.,)

Petitioner)

**RESPONDENT'S RESPONSES
TO PETITIONER'S
REQUESTS TO ADMIT**

Respondent, the County of Newberry, hereby responds to Petitioner's Requests to Admit as follows:

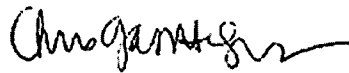
1. Wayne Adams was responsible for the decision to cease paying the stipend to petitioner, and only informed County Council after the fact.

RESPONSE: Admit.

2. County Council was not involved in the decision to discontinue payment of the stipend to petitioner.

RESPONSE: Deny. (County Council was informed and, therefore, involved to that extent.)

HAYNSWORTH SINKLER BOYD, P.A.



Christine Gantt-Sorenson, SC Bar No. 63998
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Attorneys for the County of Newberry

ROA 0038

August 27, 2015
Greenville, South Carolina

STATE OF SOUTH CAROLINA

BEFORE THE COUNTY COUNCIL

COUNTY OF NEWBERRY

AMENDED

In re:

AFFIDAVIT OF ATTORNEY'S FEES

Arthur L. Jayroe, Jr.,

Petitioner,

Personally appeared before me, Desa Ballard, who being duly sworn, deposes and says that:

1. I am a member of the South Carolina Bar, having been admitted to practice in 1983. I have been engaged in the private practice of law since 1987¹, after four (4) years working in various capacities within the judicial department, including two (2) years as law clerk to Chief Justice J. B. Ness.
2. I opened my own law practice in 1997, which I currently maintain with one partner and a small staff. I frequently lecture on ethics issues to lawyers, administrative agencies and staff, and real estate professionals. For the past fifteen (15) years, I have served as an Adjunct Faculty Member at the University Of South Carolina School Of Law, teaching Advanced Legal Profession. For approximately 25 years, I have served on the Advisory Committee for Rules for the Administrative Law Court.
3. I enjoy an AV rating with Martindale Hubbell, and have so for at least twenty (20) years.

¹ I am also admitted to practice in the United States District Court for the District of South Carolina, the District of Columbia, the Fourth Circuit Court of Appeals, the United States Supreme court, and numerous other federal district and appellate courts.



4. I focus my practice on ethics and professionalism for lawyers, and also on state court appellate work and complex procedural challenges for which no apparent remedy exists. The majority of my practice is litigation-based.
5. I was retained by Petitioner to represent him in connection with a claim for unpaid compensation against Newberry County. The attached invoice reflects the time and billing invoice for fees incurred by Mr. Jayroe and for which he is responsible (although some clerical time is missing) in prosecuting this matter, and includes an estimate of eight (8) hours for the day of hearing. The total attorney fees charged to Petitioner in this proceeding to date is \$18,731.09. (There are several other components of this litigation, including two (2) other pending lawsuits against Newberry County, and billing for those is not included here)².
6. In establishing my hourly rates, I have taken into consideration all the relevant factors set forth in Rule 1.5(a) governing reasonableness of fees. I am informed and believe that my hourly rate of \$400 per hour is reasonable in light of my expertise, my background and experience, and as compared to other lawyers with similar expertise and skill it is moderate. I am further informed and believe that the total billing is imminently reasonable in light of the time and labor required, the novelty of the questions involved and the skill requisite to perform the legal services properly.

[signature and notary next page]



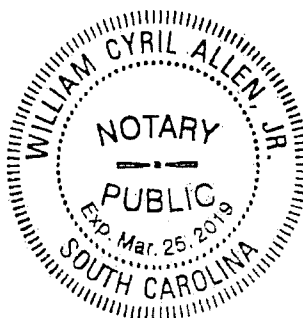
² My original affidavit of attorney fees submitted at the hearing inaccurately stated the earned fees as \$8,200.00. However the invoices attached reflected the actual fees and costs of \$18,731.09. This amended affidavit is filed to correct the error. The time sheets have not changed and still cap time as of the date of the hearing on October 27, 2015.

Amended Affidavit of Attorney Fees – continued.

Desa Ballard
Desa Ballard

Sworn to before me this
16th day of December, 2015

William Cyril Allen Jr.
Notary Public for South Carolina
My commission expires: 3/25/2019



STATE OF SOUTH CAROLINA

COURT OF COMMON PLEAS

COUNTY OF NEWBERRY

IN RE:

ARTHUR L. JAYROE, JR.

Hearing Pursuant to S.C. Code Ann. Sec. 22-8-50
(Redress of compensation actions by county
government)

In re: Arthur L. Jayroe, Jr., Petitioner

DATE: October 27, 2015

TIME: 4:20 p.m.

LOCATION: County Council Chambers
1309 College Street
Newberry, South Carolina

REPORTED BY: ANGELA D. ZUVER,
Court Reporter

A. WILLIAM ROBERTS, JR., & ASSOCIATES

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24 NEWBERRY COUNTY COUNCIL

25 HENRY H. LIVINGSTON, III, CHAIRMAN
BILL WALDROP
LESLIE HIPPE
STEVEN C. STOCKMAN
SCOTT CAIN
TRAVIS REEDER

(INDEX AT REAR OF TRANSCRIPT)

Arthur L. Jayroe, Jr. - Direct Examination by Ms. Ballard

ROA 0044₁₄

1 black notebook. There's no objection by us to any
2 of their exhibits. So they're coming in without
3 objection.

4 I only have one witness, and it's
5 Mr. Jayroe. We've laid out the room, I think, so
6 that the preferable way for you to make sure you
7 hear his testimony and the court reporter hears his
8 testimony is for him to stay seated here.

9 Mr. Dubberly, is that what we've --

10 MR. DUBBERLY: I think that that would
11 work fine for everybody unless anybody has an
12 objection.

13 MS. BALLARD: I'd ask the court
14 reporter if she would swear Mr. Jayroe, please.

15 ARTHUR L. JAYROE, JR.
16 being first duly sworn, testified as follows:

17 MS. BALLARD: Does anybody object if I
18 sit right there while I talk to him so he can talk
19 to you? If I get too close, please let me know.

20 EXAMINATION

21 BY MS. BALLARD:

22 Q. Art, would you state your full name for
23 the record, please.

24 A. It's Arthur L. Jayroe.

25 Q. What is your profession, Art?

A W R

1 A. I'm a certified public accountant.

2 Q. How long have you been a certified
3 public accountant?

4 A. Approximately 32 years.

5 Q. In South Carolina?

6 A. Yes.

7 Q. And what is the nature of your
8 practice?

9 A. I do accounting, bookkeeping, taxation
10 and representation before the Internal Revenue
11 Service and the Department of Revenue.

12 Q. And you're in private practice; is that
13 correct?

14 A. That is correct.

15 Q. Prior to being in private practice,
16 what did you do as a CPA?

17 A. I worked for the international
18 accounting firm of Ernst & Whinney where I was an
19 auditor for three years.

20 Q. And approximately when did you start
21 your private practice?

22 A. I believe about 1984.

23 Q. Where is it located?

24 A. It's in Little Mountain, South
25 Carolina.

Arthur L. Jayroe, Jr. - Direct Examination by Ms. Ballard

ROA 0046₁₆

1 Q. Do you have other accountants on staff
2 with you?

3 A. I do.

4 Q. Any other CPAs?

5 A. No.

6 Q. Okay. Mr. Jayroe, you've been a
7 magistrate in Newberry County; is that correct?

8 A. That is correct.

9 Q. When did you first receive an
10 appointment as a magistrate in Newberry County?

11 A. I believe that was in August of 1995.

12 Q. When you were appointed as a magistrate
13 were you appointed in a full-time or a part-time
14 position?

15 A. Part-time position.

16 Q. And for what geographic area were you
17 appointed?

18 A. I was appointed -- I was appointed to
19 be in the Little Mountain magisterial district
20 which I believe is referred to as District
21 Number 6.

22 Q. Just for purposes of background,
23 magistrates are employed by whom?

24 A. Magistrates are employed by the county
25 and...



1 Q. Their paycheck is sent by the county?

2 A. That is correct.

3 Q. Okay. But you're not selected by the
4 county; is that correct?

5 A. That is true.

6 Q. Okay. And I'm trying not to lead,
7 Mr. Dubberly, but just for the record, the
8 magistrate's court is part of the judicial system,
9 it's not a county office; is that correct?

10 A. That is correct. It is part of the
11 Unified Judicial System.

12 Q. All right. Now, when you became a
13 part-time magistrate, do you recall who the chief
14 magistrate was?

15 A. That would have been Judge Barry S.
16 Koon.

17 Q. And just for clarity of the record,
18 he's currently the chief magistrate; is that
19 correct?

20 A. He is.

21 Q. All right. After you were appointed in
22 1995, who made your assignments for your office
23 hours and your workday -- weekday schedule?

24 A. That would have been Judge Koon.

25 Q. Would that have been in his capacity as

1 chief magistrate?

2 A. I believe so, yes.

3 Q. And how many hours were you paid for?

4 A. At that time I was paid for ten hours a
5 week.

6 Q. And how many hours were you required to
7 be in your office?

8 A. Six hours in my office.

9 Q. What I mean -- in your office, I mean
10 in your magistrate's office?

11 A. I was to be in my magistrate's office a
12 minimum of six hours per week.

13 Q. And what did you understand the
14 difference between the ten hours you were being
15 paid for and the six hours that you were required
16 to be in your office, how -- what was the
17 difference in that?

18 A. That would have covered any
19 administrative work outside of my office, and it
20 was also explained to me that it was to help cover
21 the weekend on-call bonding time, so the weekend
22 call where each magistrate took a turn and we
23 rotated on weekends and each magistrate would serve
24 a weekend when it was their turn.

25 Q. And that was as assigned by the chief

1 magistrate?

2 A. That is correct.

3 Q. Okay. At some point in 1995 was it
4 communicated to you that a decision had been made
5 by county council regarding weeknight call?

6 A. Yes, I believe that is correct.

7 Q. Do you recall who communicated that to
8 you?

9 A. I believe it was -- Judge Koon had
10 discussed that with the magistrates, and I think
11 council had taken some action.

12 Q. Okay. At some point did you -- I don't
13 want to say receive a promotion. How are chief
14 magistrates selected from among the serving
15 magistrates? How does that work?

16 A. Chief magistrates are selected by
17 appointment of the Chief Justice of the Supreme
18 Court of the State of South Carolina.

19 Q. And she does those appointments twice
20 annually for a six month period?

21 A. She does.

22 Q. Would I be correct if I said she issued
23 those orders at the end of June for the July
24 through the end of the year period?

25 A. You would be correct.

1 Q. And at the end of December for the
2 January through June period?

3 A. Yes.

4 Q. In issuing those orders, did at some
5 point you become the associate chief magistrate?

6 A. Yes. At a point in time I did become
7 an associate chief magistrate under Chief Judge
8 Barry Koon for a period of time.

9 Q. And what were your additional duties as
10 an associate chief magistrate?

11 A. Basically to act in the absence of the
12 chief magistrate. That's basically the duties of
13 the associate chief magistrate.

14 Q. Okay. By way of example, if the chief
15 magistrate was going to be out of town or out of
16 state for some reason, would you assume the duties
17 of the chief magistrate in his absence?

18 A. That would be correct.

19 Q. Did you at some point become the chief
20 magistrate?

21 A. I did.

22 Q. When was that?

23 A. I believe it was approximately 2005.

24 Q. When you became chief magistrate, was
25 that done by appointment of the chief justice?

1 A. It was.

2 Q. And did you continue to serve as chief
3 magistrate from that point until you were removed
4 from office?

5 A. That is correct.

6 Q. Did you in addition to serving as chief
7 magistrate also continue your duties in Little
8 Mountain?

9 A. I did.

10 Q. So your duties as chief magistrate,
11 were they separate or duplicative of your duties in
12 Little Mountain?

13 A. I was still serving as a part-time
14 magistrate, so the duties of the chief magistrate
15 were in addition to my normal duties as a part-time
16 magistrate.

17 Q. And if we could, let's look at Exhibit
18 Number 4, which is in the bound notebook, and I'd
19 ask if you can identify that for the members of
20 council.

21 A. That is an administrative order of the
22 Supreme Court making assignment of chief
23 magistrates and associate chief magistrates of the
24 program.

25 Q. This order is dated December 16, 2004,

1 and I would ask you to publish for the record on
2 page three who the chief justice had assigned for
3 Newberry County and in what capacity did she assign
4 them?

5 A. That would have been Judge M.E. English
6 for Newberry County.

7 Q. As the chief magistrate?

8 A. As the chief magistrate, and Judge A.L.
9 Jayroe as associate chief magistrate for Newberry
10 County.

11 Q. And the items that begin on the fourth
12 page of Exhibit Number 4, does that outline some of
13 the duties that were added to your workload as a
14 result of being the chief magistrate?

15 A. They are.

16 Q. The one I wanted to ask you about
17 specifically was number three. What are the
18 obligations of the chief magistrate with reference
19 to arranging the schedule of magistrates in the
20 county?

21 A. Establish with the other magistrates of
22 the county a schedule so that a magistrate will be
23 available, in person or on call, in the county to
24 issue warrants and conduct bail proceedings. The
25 bail proceedings shall be in compliance with the

1 provisions of the chief justice.

2 Q. Let me stop you there. Did the chief
3 justice issue a series of orders about how bond and
4 bail proceedings would work in magistrate's court
5 throughout the state?

6 A. Yes, the chief justice did do that.

7 Q. Included within her instructions was
8 there a requirement regarding the availability of
9 magistrates on a 24-hour basis?

10 A. I believe so.

11 Q. What is your understanding of the
12 duties that were imposed upon you as chief
13 magistrate to ensure availability of magistrates on
14 a 24-hour basis?

15 A. Basically a magistrate has to be
16 available or on call to provide for necessary
17 judicial functions 24/7, excluding a few days, if
18 any.

19 Q. And when you became chief magistrate,
20 what documents, if any, were you provided from the
21 county that advised you how you would be
22 compensated for your duties as chief magistrate?
23 Let me rephrase the question.

24 When you became chief magistrate, did
25 you consult the Magistrates Pay Act?

1 A. I did.

2 Q. And the Magistrates Pay Act provided
3 for what amount of compensation for serving as
4 chief magistrate?

5 A. For serving as chief magistrate the
6 South Carolina Code of Laws provides that a
7 full-time magistrate who is chief magistrate will
8 receive \$3,000 per year. The Magistrates Pay Act
9 also provides that if that function is borne by a
10 part-time magistrate that part-time magistrate will
11 receive a \$1,500 compensation stipend for holding
12 the title of chief magistrate.

13 Q. Now, when you became chief magistrate
14 and you learned that you'd receive \$1,500 statutory
15 supplement for your additional service as chief
16 magistrate did you look further into what
17 directives, if any, the county had given regarding
18 how call was to be handled by the magistrate? And
19 when I say call I mean after-hours availability.

20 A. I think that was brought to my
21 attention, yes.

22 Q. Let me refer to you Exhibit Number 1 in
23 the bound notebook and ask if you can identify
24 Exhibit 1 for the council.

25 A. Yes. These are council minutes from

1 1995 discussing and actually approving the \$4,500
2 supplemental compensation for being on call during
3 the week after regular hours.

4 Q. All right. And if we're looking at
5 Exhibit Number 1, that's page two, toward the
6 bottom of the page, is that correct, the second
7 full paragraph from the bottom?

8 A. That would be correct.

9 MS. BALLARD: Just for the record,
10 Mr. Chairman, the minutes speak for themselves. I
11 just wanted to refer Mr. Jayroe to this particular
12 paragraph and ask him to publish it beginning with
13 Mr. Waldrop.

14 THE WITNESS: Mr. Waldrop made a motion
15 to split pay of \$4,500 between chief magistrate and
16 assistant magistrate. Mr. Livingston seconded and
17 the motion passed five to one with Mr. D. Dominick
18 voting against and Mr. Gilliam abstaining.

19 BY MS. BALLARD:

20 Q. Who provided this to you for your
21 assistance in determining what magistrates would be
22 on call at what time?

23 A. I believe the Newberry County
24 Administration provided me with a copy of these
25 minutes.

1 Q. And did you read -- in addition to the
2 paragraph we just published, did you read the
3 entire minutes and learn what the subject matter of
4 the discussion before council had been?

5 A. I did.

6 Q. And what was the subject matter of
7 council as you interpreted it to be?

8 A. When I read these minutes it appeared
9 to me that there was a \$4,500 stipend for being on
10 call, for being the call-out magistrate at night
11 during the week, not on weekends. That was done
12 differently and separately. This \$4,500 was to be
13 paid to the chief magistrate. And reading it
14 further, it says assistant magistrate. However,
15 Newberry County and no other county has an
16 assistant magistrate. So a strict reading of the
17 minutes would have assumed that that would have
18 been the associate chief magistrate.

19 Q. From the time you became the chief
20 magistrate in 2005 was there ever an associate
21 chief magistrate appointed by the chief justice?

22 A. I don't think so, no.

23 Q. So during the period of time that you
24 served as chief magistrate were you the only person
25 as you interpreted Exhibit Number 1 who was

1 required to provide nighttime call during the week?

2 A. I would have been required to provide
3 nighttime call. I believe that would be correct.

4 Q. And, in fact, when you became -- well,
5 prior to you becoming chief magistrate -- let's
6 look at Exhibit Number 2 and tell the council how
7 Judge Koon, who was the preceding chief magistrate,
8 had handled assignments for on-call duty. This is
9 Exhibit Number 2. Can you tell the council what
10 this -- what these documents are?

11 A. Starting with the memorandum?

12 Q. Yes.

13 A. It is ordered this date the following
14 changes to the magistrate's duty roster. All
15 magistrates shall adhere to the changes. I will be
16 unavailable for the next several days; therefore,
17 Chief Magistrate A.L. Jayroe shall act in my
18 absence and perform such administrative duties that
19 may be assigned.

20 Q. Well, you missed the exact part I was
21 wanting you to read, the second line, roster/bail
22 proceedings.

23 A. It is ordered the following changes to
24 Newberry County Magistrate's duty roster/bail
25 proceedings and the on-call for May of 2001. See

1 schedule attached.

2 Q. Thank you.

3 All right. So when Judge Koon was
4 doing it, he would issue these calendars assigning
5 which magistrate was to have night call during the
6 week and on weekends; is that correct?

7 A. That is correct.

8 Q. All right. And when you took over as
9 chief magistrate, what process did you use to
10 indicate what assignments were made for weeknight
11 call and for weekend call?

12 A. I virtually followed the same type of
13 format as my predecessor, Chief Magistrate Judge
14 Koon, had followed.

15 Q. And what did you do -- from 2005
16 forward, who did you assign to have weeknight call
17 on a regular basis?

18 A. I believe that was me.

19 Q. Was that 52 weeks a year?

20 A. Probably ended up being more like 49 or
21 50.

22 Q. What would happen during those weeks
23 when you would not be available to provide
24 weeknight call?

25 A. I would assign -- generally one of the

1 full-time magistrates would be willing to cover for
2 me. I would say, I'm going to be out of town,
3 would you cover, and they would say yes.

4 Q. All right. And just so I'm clear, when
5 you provide weeknight call, what hours are you on
6 call every week?

7 A. When you provide weeknight call it
8 would generally start Sunday night at midnight and
9 go until Monday morning at 8:30 when the central
10 traffic court opened up. It would begin again
11 Monday evening at 5:30, last -- excuse me -- Monday
12 evening at 5:00 o'clock it would start.

13 Q. Put your hand down.

14 A. It would last until Tuesday morning at
15 8:30. Start again Tuesday evening at 5:00, go to
16 Wednesday morning at 8:30; Wednesday evening at
17 5:00 until Thursday morning at 8:30; Thursday
18 evening at 5:00 until Friday morning at 8:30. It
19 would begin again Friday evening at 5:00 and go
20 until midnight, and that would have covered
21 weeknight during the whole week.

22 Q. How did you assign a magistrate for
23 weekend call?

24 A. As I think I previously mentioned,
25 weekend call I basically followed what had been

1 done in Newberry County, in my personal knowledge,
2 for at least the past 20 years, and that's each
3 magistrate took a turn for weekend call and would
4 serve from Friday midnight -- or be the magistrate
5 on call from Friday midnight until Sunday midnight.

6 Q. And they alternated?

7 A. That is correct, they alternated.

8 Q. And did you also take weekends?

9 A. I did.

10 Q. What kinds of duties might you be
11 called upon to perform while you were on call? Not
12 holding office hours as a magistrate, but when you
13 were on call.

14 A. During the week or during the weekend?

15 Q. During the week.

16 A. During the week you could get a call at
17 any time. Generally it was law enforcement either
18 seeking an arrest warrant or possibly seeking a
19 search warrant. The function that you did -- you
20 didn't just go sign a warrant or sign a search
21 warrant. You had to listen to the facts of the
22 case and you are the -- you as the magistrate, the
23 summary court judge, are the first line of
24 protection for the defense and for the prosecution,
25 that being law enforcement, for whoever they're

1 going after. You determine if there is probable
2 cause for a search warrant or if there is probable
3 cause for an arrest. If you decide there is not,
4 you send the police home. If you decide there is,
5 you generally draft the document, the charging
6 paper, the warrant or possibly search warrant, and
7 then the police go and execute those items and pick
8 up an individual. You might also receive a call
9 regarding anything somebody might want to talk to
10 you about.

11 Q. During the weeknight call?

12 A. Possibly, but generally it was more in
13 terms of we need a search warrant or we need an
14 arrest warrant.

15 Q. Since you were on call essentially
16 every weeknight, who had to maintain the ability to
17 contact you during your on-call hours?

18 A. That would have been the law
19 enforcement agencies or -- they would call, and if
20 they didn't -- you know, if it wasn't Newberry
21 County they would probably call communications and
22 find out who the on-call judge was, and they would
23 tell them it was me, and I would get the phone
24 call.

25 Q. Now, what is communications? You said

1 there's an office called communications?

2 A. Yes. The Newberry County
3 Communications Center out at the sheriff's office,
4 commonly referred to as county control or the
5 emergency office, 911 office.

6 Q. If you were called on call say on a
7 Wednesday night at eight o'clock or you were
8 awakened at midnight to go out on an on-call
9 assignment, what did that involve? Did you have to
10 go somewhere or did somebody come to you?

11 A. I would usually ask the officer how
12 long is it going to take you to get to my office,
13 and they would say X amount of time. I would
14 usually go on over to my office and wait on them
15 and we'd conduct the business at hand and then wrap
16 it up.

17 Q. About how long would that on average
18 take?

19 A. It totally depended. I've seen the
20 time that I got called out at 1:00 in the morning
21 and got back home at 5:00 or 6:00. I've seen the
22 time I got called out and I was probably back in a
23 half hour or an hour and a half.

24 Q. Let me make sure the record is clear.
25 You said, meet me at my office. Where did you

1 maintain your magistrate's office?

2 A. I maintained my magistrate's office on
3 Main Street in Little Mountain, South Carolina.

4 Q. Is that the same location where your
5 CPA practice is located?

6 A. It is.

7 Q. All right. So you would -- generally
8 you would meet law enforcement at your office in
9 Little Mountain?

10 A. I would.

11 Q. Okay. Now, how frequently -- and I
12 know it's impossible to estimate with accuracy, but
13 how frequently say in a month would you normally
14 get a call during the weeknight on-call hours?

15 A. Not all that often. I never kept up
16 with that and I was never asked to keep up with
17 that, but I did make myself available because I was
18 directed by county council to do that.

19 Q. And by the chief justice?

20 A. And by the chief justice.

21 Q. Now, what restrictions, if any, did
22 that place on you in terms of moving around and
23 going to Charleston to visit family or whatever you
24 might have done?

25 A. Well, basically as long as I could be

1 to my office and respond to those duties within an
2 acceptable amount of time, which I viewed as
3 anywhere from 30 minutes to an hour, I thought that
4 was reasonable. It did not keep me from going to
5 Harbison. If I wanted to go to Harbison from
6 Little Mountain I could be there and be back in
7 20 minutes, and things like that, you know, but you
8 didn't get to go to Harbison and drink wine. You
9 had to, you know...

10 Q. You were on call?

11 A. You were on call.

12 Q. And that was --

13 A. And you had to be able to function.

14 Q. Now, from the period of time you became
15 the chief magistrate in 2005 did you continue to be
16 the chief magistrate until you were removed from
17 office in June of 2015?

18 A. Yes.

19 Q. And during that ten year period were
20 you responsible for weeknight on-call services say
21 50 weeks out of 52 per year?

22 A. Probably 49 or 50.

23 Q. And on average how many hours per week
24 were you on call as the chief magistrate pursuant
25 to the instructions of county council on Exhibit 1

1 and the orders of the chief justice?

2 A. During the week, not counting weekend
3 call --

4 Q. Not counting weekend call.

5 A. -- it would have been between 3,500 and
6 4,000 hours total per year.

7 Q. Now, I want to make sure we're clear.
8 How were the magistrates compensated for weekend
9 call?

10 A. Magistrates -- for instance, I was paid
11 for ten hours a week as a part-time magistrate. I
12 was told to be in -- maintain office hours of at
13 least six hours a week. When I came on board it
14 was explained to me that the other four hours were
15 to cover administrative-type things and also to
16 help cover any time you may incur during weekend
17 call. Other magistrates received similar
18 instructions and when I became chief magistrate I
19 followed a similar pattern.

20 Q. So let me make sure I understand. For
21 your regular magistrate's duty, if you were paid
22 for, in your case, ten hours, you actually had to
23 have office hours as a magistrate for six hours?

24 A. Yes.

25 Q. And you were paid for four hours to

1 compensate you for administrative duties and for
2 weekend on-call time?

3 A. Weekend on-call.

4 Q. Okay. So for your regular magistrate
5 duties -- not your chief magistrate duties, but
6 your regular magistrate duties, your weekend call,
7 were you compensated by the salary that was paid to
8 you, the ten hours?

9 A. Yes. That's my understanding. It
10 certainly helped to compensate and relieve some of
11 that time that you spent on the weekends.

12 Q. When you became chief magistrate was
13 there somebody else doing some weeknight call?

14 A. Yes. I -- when I became chief
15 magistrate, Judge English proceeded me as chief
16 magistrate and Judge English had been relieved of
17 that duty and he was still a magistrate. I was
18 then appointed the chief magistrate. Judge
19 English -- when I was appointed chief magistrate
20 Judge English's salary was reduced by \$3,000, which
21 was the statutory chief magistrate's supplement.

22 Q. Because he was full time?

23 A. Because he was full time. And when the
24 chief justice removed him from that position he
25 also lost that \$3,000 amount. Judge English was in

1 the upper part of the county. I kind of tried to
2 be a nice guy and not see him lose -- see him lose,
3 I guess --

4 Q. 7,500?

5 A. -- five or \$6,000. So I said just pay
6 me half of it at that time and let him -- he was on
7 the way out, so I think he might have received half
8 of it for his remaining six months.

9 Q. Let's look at Exhibit Number 6, if we
10 could, just to document your communication to the
11 county regarding the division of the weeknight call
12 compensation when you became chief magistrate. And
13 this is dated July 8, 2005. Would you -- who is
14 Debbie Cromer?

15 A. Ms. Debbie Cromer is the finance
16 director for Newberry County.

17 Q. And what communication did you send her
18 as shown on Exhibit Number 6?

19 A. Effective July 1, 2005 I will be
20 receiving the evening on-call stipend paid by the
21 county to the evening on-call magistrates.

22 Q. Slow down just a bit for the court
23 reporter.

24 THE WITNESS: Sorry. Would you like me
25 to repeat it again?

1 THE REPORTER: Yes, please.

2 THE WITNESS: Dear Debbie, effective
3 July 1, 2005, I will be receiving the evening
4 on-call stipend paid by the county to the evening
5 on-call magistrate. Judge English will continue to
6 receive one half of the stipend while I will
7 receive the other half. Should you have questions,
8 please advise. Very truly yours, A.L. Jayroe,
9 Chief Magistrate, Newberry County, South Carolina.

10 Q. And from July 8, 2005 through the end
11 of the year did you continue to divide that
12 weeknight call with Judge English?

13 A. That's my recollection, yes.

14 Q. Look at Exhibit Number 7, if you would.
15 I think that will bring it full circle for you.
16 Would you please tell the members of county council
17 what that is.

18 A. That is an e-mail from me to Ms. Cromer
19 stating that when Judge English resigns I'm asking
20 her to increase my magistrate's salary by the other
21 half of the stipend because at that point in time I
22 was going to be doing all the night call during the
23 week.

24 Q. So from December 31, 2005 until you
25 were removed from office were you the default

1 weeknight on-call magistrate?

2 A. I was.

3 Q. Did you assign that duty to yourself?

4 A. Based upon my interpretation of the
5 1995 minutes, that was the only assignment that
6 could be made.

7 Q. And you're referring to Exhibit
8 Number 1 that we've already talked about?

9 A. I'm referring to Exhibit Number 1.

10 Q. And, again, page two of Exhibit
11 Number 1, second full paragraph from the bottom
12 makes reference to the pay of \$4,500 between the
13 chief magistrate and the assistant magistrate.
14 From December 31, 2005 until you were removed of
15 your duties was there any assistant magistrate who
16 shared your duties with you?

17 A. There was no assistant magistrate.

18 Q. So I just want to make sure the
19 timetable is clear. On an uninterrupted basis from
20 December 31, 2005, as shown in Exhibit Number 7,
21 you were the primary magistrate for weeknight call
22 and you were compensated for that by the \$4,500
23 stipend that had been voted on by county council as
24 shown in Exhibit Number 1?

25 A. That is correct.

1 Q. Now, among your duties as chief
2 magistrate, did you at some point become
3 responsible for training the magistrates or
4 coordinating the training of the magistrates when
5 the county converted to the electronic case
6 management system?

7 A. Yes. I was the go-to person for that.

8 Q. How did that come about? Put that back
9 a little in front of you. Thank you.

10 A. Newberry -- the chief justice of the
11 Supreme Court decided to implement what is commonly
12 referred to as the case management system for the
13 judicial system in the state of South Carolina.
14 That involved putting in certain software to
15 uniformly maintain judicial cases and judicial
16 actions. So the Summary Court -- the Summary Court
17 of the State of South Carolina handles more cases
18 than any other --

19 Q. Branch?

20 A. -- branch of the judiciary. It was
21 imperative that we be one of the first ones to go
22 on. So they started with the counties and over a
23 period of years implemented that system in each
24 county. Part of the duties was that each -- part
25 of the duties of the chief magistrate was to help

1 court administration coordinate the implementation
2 of that system.

3 Q. For the record, tell the council what
4 court administration is.

5 A. South Carolina Court Administration is
6 a branch of state government which regulates the
7 judicial branches -- the judicial branch in the
8 state of South Carolina.

9 Q. And what role did they have in the
10 implementation of the electronic case management
11 system?

12 A. They were charged with coming from
13 Columbia, getting it implemented, training the
14 necessary staff and judges. All the staff and all
15 of the judges had to be trained for that system,
16 and I was the, if you will, coordinator between
17 court administration and Newberry County.

18 Q. And the magistrates of Newberry County
19 as well as the staff?

20 A. And the magistrates of Newberry County,
21 yes.

22 Q. Let's look at Exhibit Number 9, if you
23 don't mind, in our notebook and I'll ask if you can
24 tell the members of county council what that
25 represents. It's a two-page document.

1 A. Number 9?

2 Q. Number 9. Excuse me. Number 8.

3 A. Number 8.

4 Q. I'm so sorry.

5 A. Yes. This is an e-mail seeking
6 compensation for the compulsory classes the
7 part-time magistrates were required to attend.
8 This was seeking the additional monies needed to
9 fund the part-time magistrates for those hours that
10 the chief justice had ordered them to attend that
11 dealt with the case management system.

12 Q. And was this communication -- this
13 communication was between you and Debbie Cromer
14 with the county; is that correct?

15 A. Actually, I think I sent this one to
16 Wayne Adams of Newberry County.

17 Q. Okay. I'm sorry. I was looking up
18 above.

19 A. The first one is to Wayne Adams and
20 then he referred it to Ms. Cromer.

21 Q. I see. And what was the time period
22 within which you were supervising the
23 implementation of the electronic case management
24 system and seeking the additional compensation for
25 your part-time magistrates?

1 A. That would have been approximately 2010
2 where I was the liaison performing that function.

3 Q. And those duties fell to you as a
4 result of what?

5 A. Being the chief magistrate and having
6 to follow her order.

7 Q. And your \$1,500 a year compensation for
8 all these additional duties?

9 A. Of course.

10 Q. Okay. Now, at some point in time, in
11 addition to your providing magistrate duties for
12 Little Mountain, did you also for some period of
13 time also provide magistrate duties for Whitmire?

14 A. I did.

15 Q. When did that begin? I'll refer you to
16 Exhibit Number 9 to assist you, about halfway down
17 the page.

18 A. I actually think I started going to
19 Whitmire in March or April of 2012.

20 Q. When did you ask to be paid?

21 A. I apparently didn't get around to that
22 until about August 1st.

23 Q. Okay. And was that proposal granted?
24 Did you in fact receive the additional compensation
25 for the Whitmire magistrate's duties for some

1 period of time?

2 A. I did receive some compensation for
3 that, yes.

4 Q. For the Whitmire magistrate's duties,
5 how many additional hours per week did that require
6 you to, number one, be in the office, and number
7 two, for how many hours were you paid?

8 A. I was paid for eight and I was required
9 to be in the office for four.

10 Q. And, again, the pay between four and
11 ten was to cover what?

12 A. Between four and eight.

13 Q. I'm sorry -- between four and eight was
14 to cover what?

15 A. That would have covered driving time
16 and also administrative time of answering Whitmire
17 questions while I was at my Little Mountain office
18 during the week because I received calls there
19 regarding Whitmire and Whitmire cases also.

20 Q. Did the difference between the hours
21 also compensate you for your rotation as Whitmire
22 magistrate on the weekend call?

23 A. No.

24 Q. It wasn't enough for that?

25 A. (Shaking head.)

1 Q. Okay. How long do you recall
2 approximately did you serve as the Whitmire
3 magistrate in addition to serving as the Little
4 Mountain magistrate?

5 A. I want to say between eight and
6 12 months.

7 Q. Okay. We can look at Exhibit 10 for
8 clarification. That's a letter dated June 3, 2013
9 from you to Mr. Adams asking that your compensation
10 for Whitmire cease. Do you see that?

11 A. Yes.

12 Q. So in addition to your duties as chief
13 magistrate and the Little Mountain magistrate for
14 the time period of March or April of 2012 through
15 June of 2013 -- excuse me -- May 31, 2013, you also
16 served and were compensated for additional duties
17 as Whitmire magistrate; is that correct?

18 A. Yes.

19 Q. Okay. Now, during that period of time
20 that you also served as Whitmire magistrate, did
21 you continue to provide call every night of the
22 week?

23 A. I was available for call every night of
24 the week.

25 Q. Okay. If you would, look with me,

1 please, on Exhibit Number 11.

2 MS. BALLARD: And for the council's
3 benefit, this is an excerpt from the budget for the
4 period 2014 to 2015. I have the whole 140 pages,
5 if you want it, but I hope this excerpt is
6 sufficient.

7 BY MS. BALLARD:

8 Q. Can you tell us what this is?

9 A. Yes. That's an approved county council
10 budget for Little Mountain Magistrate's Office.

11 Q. Well, let's be more specific. The
12 first page is for Little Mountain, correct?

13 A. That is correct.

14 Q. What are the additional pages for?

15 A. The central traffic court for Whitmire
16 Magistrate's Court and the Pomaria Magistrate's
17 Court.

18 Q. Let's be specific now. Magistrate Koon
19 was covering which area?

20 A. Whitmire.

21 Q. And Magistrate Lail was covering which
22 area?

23 A. Peak and Pomaria.

24 Q. And are these the salary figures that
25 were approved by county council for the fiscal year

1 2014/2015 on this one page for your budget?

2 A. Yes, I think they are.

3 Q. Okay. And your salary for that year on
4 the first line was what?

5 A. \$19,489.

6 Q. What did that include?

7 A. That included \$1,500 for chief
8 magistrate's statutory supplement.

9 Q. For a part-time chief magistrate?

10 A. For a part-time chief magistrate.

11 Q. What else?

12 A. It included the \$4,500 on call at night
13 during the week.

14 Q. From Exhibit Number 1?

15 A. From Exhibit Number 1, the county
16 council approval.

17 Q. So from '95 to 2015 that amount did not
18 increase, the \$4,500 supplement for nighttime
19 weeknight call?

20 A. Not to my knowledge.

21 Q. Did not. Okay.

22 And your salary is shown there as
23 19,489, I believe. In prior years had you received
24 W-2s from the county for your salary?

25 A. Yes.

1 Q. And had they combined your \$1,500
2 supplement and your \$4,500 supplement with your
3 salary as Little Mountain magistrate --

4 A. Yes, they had.

5 Q. -- in a single W-2 form?

6 A. In a single W-2 form.

7 Q. So that was all counted against you as
8 wages?

9 A. Yes.

10 Q. Now, in August of 2014 did you receive
11 some communication from Mr. Adams indicating that
12 he thought you and some of the other part-time
13 magistrates had been underpaid?

14 A. Yes, I did.

15 Q. Looking at Exhibit Number 12, can you
16 tell County Council about that communication?

17 A. The one dated August 28th?

18 Q. August 28th, correct, and then the
19 letter follows on the next page.

20 A. Yes. It says, the county determined it
21 might not have been fully compliant with the South
22 Carolina Magistrates Pay Act. Going forward --

23 Q. What did he include with his letter?

24 A. A general release offering me a net
25 amount of \$1,981.63.

1 Q. And that was supposedly for what?

2 A. For on-call time that the county said
3 they had not paid me for.

4 Q. Did it make a distinction? Did this
5 letter and/or the release make a distinction
6 between weeknight call and weekend call?

7 A. I don't think that it did.

8 Q. Okay. What, if anything, did you do
9 with this when you received it? Did you review it
10 for accuracy?

11 A. As accurate as I could determine.

12 Q. Okay. And what did you determine, if
13 anything, regarding the proposal that was being
14 made to you by the county?

15 A. I determined that it didn't make a
16 whole lot of sense to me.

17 Q. If you'll look -- we're still on
18 Exhibit 12 at the last page. It's got number seven
19 on the bottom of it. Can you identify what this
20 document is?

21 A. Is that the one dated March 5th?

22 Q. It is.

23 A. This is a --

24 Q. When did you first come to see this
25 document? Did you receive this in response to your

1 FOIA request?

2 A. I think that is correct.

3 Q. Have you had an opportunity to review
4 it?

5 A. I have.

6 Q. What does it appear to you to be?

7 A. It appears to me to be an offering of
8 payment for uncompensated weekend call to all
9 part-time magistrates.

10 Q. Those being Rick Lail, Barry Koon and
11 yourself?

12 A. Yes.

13 Q. And go ahead.

14 A. However, my calculation has been
15 reduced by \$13,500.

16 Q. That being what, do you suppose?

17 A. The only thing I could surmise was that
18 it was for the weeknight on-call magistrate time,
19 that \$4,500 stipend that county council had been
20 paying for years.

21 Q. Well, now, when you received this
22 letter from Mr. Adams in August of 2014 you had
23 been the chief magistrate and you had been the one
24 assigning the magistrates to weekend call, correct?

25 A. Correct.

1 Q. So you knew whether or not they had
2 already been compensated for their weekend call,
3 didn't you?

4 A. I felt that the additional hours they
5 were not required to be in their office -- again, I
6 followed my predecessor's methodology and that was
7 assumed to compensate them.

8 Q. So in August of 2014 -- I realize you
9 didn't see this until later -- if an offer was made
10 for additional compensation to Magistrates Koon and
11 Lail for weekend consideration, that was -- they
12 had already been paid for those weekends, had they
13 not?

14 A. Yes.

15 Q. Because you'd assigned them and
16 allocated --

17 MS. GANTT-SORENSEN: Just a little bit
18 on the leading. I'm trying to be --

19 MS. BALLARD: I'm trying to cut through
20 the time.

21 MS. GANTT-SORENSEN: I know. I'm
22 trying to be easy on that.

23 MR. DUBBERLY: I think we'd all like to
24 get out of here, but you might do it just a little
25 bit less.

1 MS. BALLARD: All right. Thank you.

2 BY MS. BALLARD:

3 Q. Was anybody other than you responsible
4 for assigning the weekend call?

5 A. No.

6 Q. So if there had been anyone other
7 than -- any other part-time magistrates other than
8 yourself, Mr. Lail and Koon providing weekend call
9 you'd be the one to know it, correct?

10 A. Yes.

11 Q. I take it you did not accept this
12 proposal from the county?

13 A. I did not.

14 Q. And why not?

15 A. I thought they were making an offer for
16 weekend call so why should my weekend call be
17 reduced by something that wasn't related.

18 Q. All right. And by that you mean the
19 weeknight supplement that's shown on the fourth
20 page of Exhibit Number 12?

21 A. I'm sorry. I'm --

22 Q. The last page of Exhibit 12. Keep
23 going. There you go.

24 A. Yes. The \$13,500 was totally unrelated
25 to this on-call pay the county was trying to

1 compensate.

2 Q. So as the chief magistrate and as a
3 CPA, what, if anything, did you concluded about the
4 calculations that are set forth on page four of
5 Exhibit 12?

6 A. I concluded it was wrong.

7 Q. Okay. Did you draw any conclusions
8 about whether the additional part-time
9 magistrates -- that if they had accepted this
10 proposal whether they were being compensated twice
11 for weekend call?

12 A. It appeared that that was a
13 possibility, yes.

14 Q. Thank you.

15 Now, let's go back to Exhibit
16 Number 12, the top of page two. This is again the
17 letter from Mr. Adams to you dated August 28, 2014.
18 If you --

19 A. All right. Let's hang on here.

20 Q. You've got the right page.

21 A. Exhibit 12?

22 Q. Uh-huh. I'm referring you to the first
23 full paragraph on page three. I'm sorry. Page
24 three of that exhibit.

25 A. Yes.

1 Q. Can you read that sentence into the
2 record.

3 A. Going forward, part-time magistrates
4 must report all on-call hours worked using the
5 attached form.

6 Q. Now, hold on a minute. What did
7 Mr. Adams have to do with the work schedules of
8 part-time magistrates?

9 A. Nothing.

10 Q. Okay. Let's back up a little further.
11 Bottom of the first page of the letter. Start with
12 importantly.

13 A. Importantly, if you have received any
14 other form of compensation for call time over the
15 past three years, the amount referenced in the
16 above paragraph reflects a corresponding prior
17 reduction. Moreover, as of the date of this
18 memorandum, the county is discontinuing any such
19 payments.

20 Q. Did you understand what that sentence
21 meant, as of the date of this memorandum the county
22 is discontinuing any such payments?

23 A. Not initially.

24 Q. What, if anything, did you do to try to
25 determine what Mr. Adams was talking about?

1 A. I tried to -- I asked to find out what
2 the -- who all was receiving payments that were
3 being discontinued.

4 Q. Look at Exhibit 13 to assist you in
5 answering that question, if you would. Could you
6 tell council what this is.

7 A. This is a letter from me to Mr. Adams
8 stating that, in your letter to the part-time
9 magistrates dated 8/2/14, paragraph three deals
10 with forms of on-call compensation and the
11 discontinuance of such items. Please inform me
12 with specificity as to whose on-call compensation
13 is being discontinued, the specific amount of
14 on-call compensation for each judge that is being
15 discontinued, and the precise nature and purpose of
16 the on-call compensation for each judge that is
17 being discontinued.

18 Q. And did you receive a response?

19 A. I did.

20 Q. And what were you told by Mr. Adams or
21 on his behalf?

22 A. That I was the only person who was
23 having any discontinuance.

24 Q. Did you receive any notice to appear
25 before council or to have any input at all on the

1 discontinuation of the \$4,500 annual supplement?

2 A. I did not.

3 Q. So what was the effect, if any, of the
4 discontinuance of the 4,500 annual supplement?

5 A. My salary was reduced by that amount.

6 Q. And so from -- what's the date of this
7 letter? From August 28, 2014 through the time you
8 were removed from office in June of 2015 did you
9 receive any compensation whatsoever for the
10 weeknight call that you provided?

11 A. I did not.

12 Q. Look with me -- and I'm sorry I'm out
13 of order -- if you would, at Exhibit Number 26.
14 Can you tell Council what that appears to be?

15 A. It appears to be -- it's a personnel
16 action request form dated August 28th reducing my
17 salary by approximately \$4,500.

18 Q. That was your annual salary being
19 reduced by approximately 4,500?

20 A. That is correct. And it's signed by
21 Wayne Adams, Wanda Hill and Debbie Cromer.

22 Q. Again, did you receive any notice or
23 opportunity to be heard regarding the
24 discontinuance of your compensation --

25 A. I did not.

1 Q. -- for the weeknight call?

2 A. I did not.

3 Q. Did you receive any notice that county
4 council had made the decision to vacate the stipend
5 that they had enacted as reflected in Exhibit
6 Number 1 and remove that from your compensation?

7 A. I think there was a letter dated
8 August 28th, or something like that, from Wayne
9 Adams, the county administrator.

10 Q. That's Exhibit Number 12 that we've
11 been looking at, correct?

12 A. I think that's correct, yes.

13 Q. Okay. Now, again, the paragraph in
14 Exhibit Number 12 on page two, going forward,
15 part-time magistrates must report, who do you
16 understand under the chief justice's chief
17 magistrate order was responsible for scheduling the
18 part-time magistrates?

19 A. That would have been the chief
20 magistrate.

21 Q. You, not Mr. Adams?

22 A. No.

23 Q. All right. Look with me, if you would,
24 at Exhibit Number 15. Would you summarize what
25 Exhibit Number 15 contains for the members of

1 county council.

2 A. This exhibit contains the Newberry
3 County weekend and evening on-call magistrates'
4 schedule.

5 Q. Were these issued by you?

6 A. They were issued or I had them to be
7 issued, yes.

8 Q. All right. We were talking earlier
9 about the 52 weeks in the year. This happens to be
10 a Christmas month on page one. Can you explain to
11 us what you all would do around the holidays to
12 give everybody the benefit of the -- some time off
13 for the holidays?

14 A. Yes. Around the holidays what we would
15 do is we would either take it in rotation or the
16 magistrates would generally agree around the week
17 of Christmas what they wanted to do, and we were
18 pretty flexible in that as long as it evened out.
19 The county was generally closed on Christmas Day
20 and, if I'm not mistaken, possibly Christmas Eve,
21 and then I think there would be another day
22 authorized to be off during that time frame and
23 what have you.

24 Q. So on this particular month, December
25 2013, on December 24th your name appears there.

1 What does that reflect?

2 A. That reflects that on Christmas Eve I
3 was the magistrate on call for the whole day.

4 Q. Were you also the magistrate on call
5 that night?

6 A. I was.

7 Q. Were you also the on-call magistrate
8 every night that month during the week?

9 A. I kind of believe that that would have
10 been the case.

11 Q. Look, if you would, underneath -- at
12 the third line underneath the calendar is the court
13 assignment. Could you publish the last line to the
14 members of county council?

15 A. After hours on-call during week, Chief
16 Judge Jayroe.

17 Q. Without belaboring the issue, would it
18 be accurate to say that each of those calendars
19 reflects that same entry for weeknight call?

20 A. That is an accurate statement, yes.

21 Q. And did you, in fact, provide the
22 weeknight call as indicated during this three-year
23 period?

24 A. Yes.

25 Q. Art, when were you removed from office

1 approximately?

2 A. I believe approximately June 9th of
3 2015. Sometime in June of 2015.

4 Q. All right. And did the county pay you
5 some amount of compensation through that period of
6 time?

7 A. They did.

8 Q. Did they pay you what was due to you
9 through the period of time?

10 A. Not if you're considering on-call time.

11 Q. Okay. Well, we understand that your
12 stipend ended in September of 2014, correct?

13 A. Yes, that is correct.

14 Q. But you continued to provide the night
15 call?

16 A. I continued to provide the night call.
17 So I was not being paid for the night call that I
18 was directed by county council to provide.

19 Q. Based on your familiarity with the
20 Magistrates Pay Act, what was your conclusion
21 regarding the options that were available to you if
22 your salary had been reduced during your tenure in
23 office?

24 A. Speaking from memory?

25 Q. You don't have to speak from memory.

1 A. A magistrate who is receiving a salary
2 greater than provided for his position under the
3 provisions of this chapter must not be reduced and
4 must be paid the same percentage annual increase in
5 salary as other magistrates. A magistrate
6 aggrieved by ruling or action taken by a county
7 with a governing body may petition the county
8 governing body in writing for redress.

9 Q. And that's why we're here?

10 A. That's why we're here.

11 Q. All right. When you filed this
12 petition for redress, in addition to the reduction
13 in salary referred to in 22-8-40 Subsection J, did
14 you seek any additional compensation as well?

15 A. Yes. I was not paid for the total
16 number of hours that I was spending as on-call
17 magistrate at night during the week. The number of
18 hours that a part-time magistrate spends in the
19 exercise of his judicial function and scheduled to
20 be spent on call must be the average number of
21 hours worked and is fixed by the county governing
22 body upon the recommendations of the chief
23 magistrate.

24 Q. And you were reading from 22-8-40, is
25 that, correct, Subsection F?

1 A. Yes.

2 Q. Okay. Do you read that statute --
3 well, how do you read this statute to require that
4 you be compensated for your time on call?

5 A. Well, again, I was scheduled -- I was
6 being paid for ten hours a week and then I was the
7 on-call magistrate at the direction of county
8 council for the weeknight on-call hours during the
9 week.

10 Q. Go ahead.

11 A. Continue.

12 MS. BALLARD: Mr. Chairman, could I
13 publish Exhibit Number 16 to the council?

14 MR. CHAIRMAN: Yes.

15 MS. BALLARD: Exhibit Number 16 is
16 respondent's response to petitioner's request to
17 admit. Mr. Dubberly can explain to you the legal
18 effects of that, but I just wanted to read the
19 questions. These are questions from Mr. Jayroe to
20 the county staff.

21 Number one. Wayne Adams was
22 responsible for the decision to cease paying the
23 stipend to petitioner and only informed county
24 council after the fact?

25 Response: Admitted.

1 Number two. County council was not
2 involved in the decision to discontinue payments of
3 the stipend to petitioner?

4 Response: Denied. County council was
5 informed and, therefore, involved to that extent.

6 BY MS. BALLARD:

7 Q. Now, after you were no longer a
8 magistrate did you receive -- did you receive any
9 additional compensation from the county some period
10 after?

11 A. I did. I believe I was sent an
12 additional check saying that my compensation had
13 been mis-figured and I was sent --

14 Q. I'm looking for it.

15 A. -- an additional amount --

16 Q. Sorry.

17 A. -- that the county had determined that
18 I was due.

19 Q. Let's look at Exhibit Number 18 and see
20 if that assists you.

21 A. It does. Would you like it read into
22 the record?

23 Q. Would you tell the county council the
24 date that you received this letter?

25 A. This letter is dated June 30th. I

1 would assume I received it sometime in July.

2 Q. Okay. And would you publish it for
3 council, please? Just the content of the letter.

4 A. After further review of
5 documentation --

6 MS. GANTT-SORENSEN: Mr. Dubberly --

7 MR. DUBBERLY: Hang on a second.

8 MS. GANTT-SORENSEN: Which letter are
9 you on?

10 MS. BALLARD: Exhibit 18.

11 MS. GANTT-SORENSEN: I just want to
12 make sure. 18 is the June 30, 2015 letter? Thank
13 you.

14 MS. BALLARD: Yes.

15 BY MS. BALLARD:

16 Q. Go ahead.

17 A. After further review of documentation
18 received from court administration we have
19 determined that an additional five days of pay is
20 due to you for payment through June 9, 2015.
21 According to our records, this is the date your
22 successor was sworn in, appointed and qualified.
23 Enclosed you will find a check in the amount of
24 \$231.08 minus retirement contributions for the
25 period June 2, 2015 through June 9, 2015, which

1 represents final payment to you.

2 Q. Now, when you received Exhibit
3 Number 18, was any reference made to the amount of
4 money that was proffered to you in Exhibit
5 Number 12?

6 A. No.

7 Q. Was the amount of money referred to in
8 Exhibit Number 12 as having been determined owed to
9 you ever paid to you?

10 A. No.

11 Q. While we're at Exhibit 18, would you
12 identify for the members of county council your W-2
13 forms for the years 2013 through -- excuse me --
14 2011 through 2014 and tell council what these
15 represent?

16 THE REPORTER: I just need a second.

17 (A recess transpired.)

18 MR. CHAIRMAN: If we could reconvene
19 with Ms. Desa Ballard, counsel for Mr. Jayroe.

20 MS. BALLARD: Thank you very much,
21 Mr. Chairman.

22 BY MS. BALLARD:

23 Q. Mr. Jayroe, we were just looking at
24 Exhibit Number -- I just turned the page and I
25 shouldn't have -- 19.

1 A. 19.

2 Q. No. We were looking at the W-2s.

3 That's --

4 A. 18.

5 Q. -- 18. Would you tell the members of
6 county council what these W-2 statements starting
7 with 2011 reflect?

8 A. The 2011 W-2 statement represents my
9 compensation as part-time magistrate for the year
10 2011, Little Mountain part-time magistrate, and if
11 you'll look in the upper right-hand corner of the
12 W-2 form you'll see gross pay as \$19,053 and
13 change. That would consist of my base magistrate's
14 pay, the \$4,500 stipend and the \$1,500.

15 MS. BALLARD: I just realized that I
16 did not redact his Social Security number. I'll
17 redact it from the one that goes into the record.

18 MR. DUBBERLY: That's fine.

19 MS. BALLARD: I apologize for that. I
20 just noticed it.

21 BY MS. BALLARD:

22 Q. All right. And for -- I know -- I
23 realize they're out of order. On the 2011 one, the
24 19,053.97, that's gross pay to you?

25 A. That's my understanding, yes.

1 Q. And what did that include?

2 A. That included a \$1,500 chief
3 magistrate's supplement, a \$4,500 on-call during
4 the night during the week compensation, and the
5 balance would have been for ten hours a week.

6 Q. As Little Mountain magistrate?

7 A. As Little Mountain magistrate.

8 Q. Okay. The next page -- I'm sorry
9 they're out of order -- is 2013. Can you tell us
10 what that is?

11 A. Yes. This W-2 form would virtually
12 reflect the same information; however, the amount
13 is 19,488.82. It would have included the \$1,500
14 chief magistrate supplement and the \$4,500 on call
15 at night during the week, and the balance would
16 have been for the Little Mountain magistrate hours
17 at ten a week.

18 Q. Now, the next page is also a 2013 W-2,
19 but it's for a different amount. Can you tell us
20 what that is for?

21 A. Yes. That W-2 form was for the time
22 that I served in 2013 as the Whitmire magistrate.

23 Q. We've already looked at those exhibits.
24 What was your gross compensation in
25 2012 according to Exhibit Number 18?

1 A. That would have been 19,329.83.

2 Q. Again, what did that include?

3 A. That included the \$1,500 chief
4 magistrate supplement, it included the \$4,500 on
5 call at night during the week compensation as
6 directed by county council, and it would have
7 included my Little Mountain magistrate time for the
8 ten hours a week spent there.

9 Q. And, again, there is a second W-2 for
10 2012 for a much smaller amount. What was that for?

11 A. That would have been for the time in
12 2012 that I was serving as the Whitmire magistrate.

13 Q. And 2014, same question. What does
14 that include? It's the last page in Exhibit 18.

15 A. That would have -- that amount was
16 \$18,340.21 gross compensation. I believe it to
17 include the \$1,500 chief magistrate supplement,
18 \$4,500 on call during the week compensation as
19 provided by Newberry County Council, and the
20 balance would have been my ten hours per week as
21 the Little Mountain magistrate.

22 Q. Okay. Thank you.

23 Mr. Jayroe, are you asking that in
24 accordance with the Magistrates Pay Act that
25 council award you unpaid compensation as prayed for

1 in your petition?

2 A. Yes.

3 Q. Have you had an opportunity to make
4 some calculations that will assist --

5 A. I have.

6 Q. -- council in determining what those
7 numbers are?

8 A. Yes.

9 MS. BALLARD: Mr. Chairman, your book
10 indicates that there's an Exhibit 19. That's where
11 this was going to go, but we've agreed that it is
12 not an exhibit, it's simply a demonstrative
13 document that you can use during Mr. Jayroe's
14 testimony.

15 BY MS. BALLARD:

16 Q. I'm going to have to look over your
17 shoulder. You've got another one? Thank you.

18 Mr. Jayroe, can you -- we've got two
19 options here. Can you tell us how you have
20 calculated the compensation that is due to you
21 under Option A?

22 A. Yes. Under Option A I've taken \$26.85
23 per hour.

24 Q. And where did you get that?

25 A. I got that from Newberry County using

1 their hourly rate for me on their spreadsheet
2 entitled Part-Time Magistrates On-Call Compensation
3 Three Years dated March 5, 2015.

4 MS. BALLARD: And for the benefit of
5 the record, that is part of Exhibit Number 12.

6 BY MS. BALLARD:

7 Q. Go ahead, Art.

8 A. I multiplied that by 40 hours a week
9 times 52 weeks a year and came up with \$55,848
10 annually. That would be as a full-time magistrate.

11 Q. And why have you calculated
12 compensation due to you as a full-time magistrate?

13 A. Because based on the additional on-call
14 hours that I was required to be on call it would
15 have exceeded the normal 2,080 work hours a year,
16 but I stopped at a full time magistrate's pay.

17 Q. Is that in accordance with your reading
18 of the Magistrates Pay Act?

19 A. It is.

20 Q. Okay. And so an annual salary would
21 have been 55,848, correct?

22 A. Yes.

23 Q. You've calculated that times three
24 years, and what did you reduce from that?

25 A. I reduced from that my base salary that

1 has already been paid to me by \$48,083, and then I
2 come up with a base salary unpaid of 119,461 for
3 three years.

4 Q. Okay.

5 A. I have added back to that number a
6 chief magistrate's supplement for a full-time
7 magistrate which would have been an additional
8 \$1,500 a year for three years for \$4,500.

9 Q. And let me make sure the record is
10 clear. That additional 1,500 was from the
11 statutory supplement of 3,000 for a full-time
12 magistrate?

13 A. Yes.

14 Q. And you received half of that --

15 A. As a part-time.

16 Q. -- as a part-time magistrate?

17 Okay. So this is for the balance of
18 that statutory \$3,000 supplement, correct?

19 A. Yes.

20 Q. Okay.

21 A. The \$4,500 for being on call at night
22 during the week was taken away for -- or was
23 reduced to me for 20.65 pay periods.

24 Q. And let me refer you to Exhibit
25 Number -- I had it and -- I'm so sorry. Exhibit

1 Number 27. On page four of four does that reflect
2 when your salary was cut?

3 A. Exhibit what?

4 Q. Exhibit 27, page four of four. It
5 seems to change at the entry dated --

6 A. 9/12/2014.

7 Q. Correct.

8 A. With a reference or a check number of
9 57752.

10 Q. Okay. So that's when your compensation
11 was reduced? That reflects the payments that you
12 did receive after your compensation was reduced?

13 A. This would reflect -- the \$3,574 would
14 reflect the reduced on-call night pay.

15 Q. Okay. So the --

16 A. In that time frame.

17 Q. That's the portion of the 4,500 that
18 you've calculated?

19 A. Yes.

20 Q. Okay. So the unpaid compensation -- if
21 you're compensated as a full-time magistrate less
22 what you have already been paid, taking into
23 account the statutory supplement of \$3,000 and the
24 county council supplement for weeknight call of
25 \$4,500, what is due to you as unpaid compensation?

1 A. For the three-year period?

2 Q. For the three-year period.

3 A. \$127,535.

4 MS. BALLARD: And, Mr. Chairman, we'll
5 talk about the treble and attorney's fees later.
6 That's not part of his testimony.

7 BY MS. BALLARD:

8 Q. Option B -- how have you calculated
9 Option B?

10 A. I took the total on-call hours per
11 week, multiplied it times 52 weeks, subtracted out
12 approximately three weeks per year, and came up
13 with approximately 3,797.5 hours at \$26.85 per
14 hour.

15 Q. And, again, you got that hourly rate
16 from the county?

17 A. From the county.

18 Q. Okay.

19 A. That would equal 101,963, and for three
20 years that would be 305,889.

21 Q. What did you subtract from that?

22 A. I subtracted what I'd already been paid
23 in that three-year period for that supplement --
24 for the on-call nighttime supplement and came up
25 with a balance due for on-call services per the

1 1995 minutes of 295,790.

2 Q. And, again, the treble and attorney's
3 fees we'll discuss later.

4 Art, during the pendency of this
5 proceeding, and by this proceeding I mean this
6 petition before county council, did you have your
7 deposition taken?

8 A. I did.

9 Q. After your deposition was taken did the
10 county tender to you some additional funds?

11 A. I believe that's -- I think they
12 attempted to, yes.

13 MS. BALLARD: I'd refer the council to
14 Exhibit 17, and you'll notice that the first two
15 pages are folded down. That's because we've agreed
16 that that's not part of what you get to see. In
17 Exhibit Number 17 you get to see starting with the
18 checks.

19 BY MS. BALLARD:

20 Q. Mr. Jayroe, approximately when did you
21 receive these checks?

22 A. I would suppose the 1st of September.

23 Q. Speak up a little bit.

24 A. I suppose the 1st of September 2015.
25 Around the 1st of September.

1 MS. BALLARD: And for purposes of the
2 record, Ms. Sorenson and I have agreed to a
3 stipulation that reflects that these checks were
4 transmitted to me by letter from her dated
5 September 1, 2015 which reserves all objections and
6 rights of the county. Is that accurate?

7 MS. GANTT SORENSON: Correct.

8 MS. BALLARD: Okay. Thank you.

9 BY MS. BALLARD:

10 Q. Mr. Jayroe, have you negotiated these
11 checks?

12 A. No, I have not.

13 Q. Have you been required to hire counsel
14 to represent you in connection with these and other
15 proceedings?

16 A. I have.

17 Q. Have you incurred attorney's fees in
18 connection with bringing this petition before
19 county council and asking for the additional
20 compensation that you believe is due to you?

21 A. I have.

22 MS. BALLARD: Mr. Chairman, rather than
23 testifying, I have an affidavit of attorney's fees
24 that I will hand up. The original, I guess, goes
25 to her.

1 MR. DUBBERLY: Thank you.

2 MS. BALLARD: Did I give you one
3 already?

4 MS. GANTT SORENSON: No.

5 BY MS. BALLARD:

6 Q. Mr. Jayroe, have you, in fact, incurred
7 the attorney's fees that are reflected on the
8 affidavit of attorney's fees that I don't have an
9 extra copy of to hand you?

10 A. I suppose so.

11 MS. BALLARD: Okay. Please answer any
12 questions Ms. Gantt has -- Ms. Sorenson has for
13 you.

14 I never know what to do with hyphenated
15 names. I'm sorry.

16 MS. GANTT SORENSON: Either is fine.
17 Mr. Sorenson wants you to say Sorenson. Mrs. Gantt
18 is fine.

19 MS. BALLARD: Well, Mr. Allen didn't
20 get his way.

21 EXAMINATION

22 BY MS. GANTT SORENSON:

23 Q. All right. Well, you've surprised me
24 somewhat with your testimony.

25 MS. GANTT SORENSON: If I may, could I

1 Q. All right. So, I mean, we're not
2 saying that council set your hours -- I mean the
3 county administrator set your hours, true?

4 A. True.

5 Q. Yes. You set your hours and you set
6 the hours of the other folks while you were chief
7 magistrate; is that correct? Do I have that right?

8 A. Yes.

9 Q. Okay. Good.

10 All right. Now, in regards to the
11 written notice that you received on August 28th --

12 A. What's your exhibit?

13 Q. -- 2014, and that is actually your
14 exhibit -- let me -- do you want to -- you can
15 use -- we can use your exhibits or my exhibits. I
16 think it's your Exhibit 12. Why don't we do that?
17 Those are the ones you're more familiar with.

18 Now, just to establish for the record,
19 this is a letter that you received from Mr. Adams
20 dated August 28, 2014, correct?

21 A. Yes.

22 Q. And that was your written notice that
23 there was going to be a change in the stipend?

24 A. Yes.

25 Q. Can you agree with me that it did not

1 go into effect until seven days later after your
2 receipt of the August 28, 2014 letter?

3 A. Would you repeat your first statement?

4 Q. My first statement before this one or
5 just this one?

6 A. No. What didn't go into effect until
7 the August 28th letter?

8 Q. Right. Right. So the change -- can
9 you agree with me that it did not go into effect
10 until more than seven days later; in other words,
11 until the next regularly scheduled pay date which
12 is 14 days or maybe 16 days after the August 28th
13 letter?

14 MS. BALLARD: Exhibit Number 27 will
15 help you.

16 MS. GANTT SORENSON: You know,
17 Mr. Dubberly -- please don't direct him to the
18 exhibits. Let me handle it.

19 MS. BALLARD: I was just trying to help
20 him out --

21 MS. GANTT SORENSON: Thank you.

22 MS. BALLARD: -- in the interest of
23 time.

24 MS. GANTT SORENSON: I appreciate that.
25 That's why I was reading too fast. Slow down a

1 little bit and let me direct.

2 BY MS. GANTT SORENSON:

3 Q. Now, since you've been directed to
4 Exhibit 27, what is it that you're looking at?

5 A. The employee earnings.

6 Q. When is the first time you felt the
7 effects of the change precipitated by the
8 August 28, 2014 letter?

9 A. It appears on the paycheck dated 9/12
10 which, if I'm not mistaken, may have been a -- I
11 may be getting paid for the prior two weeks on that
12 date, but I'm not entirely sure.

13 Q. Paid in arrears?

14 A. I'm not sure.

15 Q. So we'll look into that, but -- so
16 you'll agree with me that the first time it went
17 into effect was 9/12/2014?

18 A. On that paycheck, yes.

19 Q. All right. Thank you.

20 Now, you specifically referred to
21 22-8-40(j) as the reason that this change that was
22 outlined in the August 28, 2014 letter could not
23 take effect. And I'm going to bring you
24 22-8-40(j). It's that same area.

25 Now, here's J. That says, a magistrate

1 the original. Break the seal?

2 MR. DUBBERLY: That's fine.

3 MS. GANTT SORENSON: Desa, do you all
4 have a copy?

5 MS. BALLARD: I have a copy. He'll
6 need to read from that.

7 MS. GANTT SORENSON: Okay.

8 BY MS. GANTT SORENSON:

9 Q. All right. I'm going to hand you
10 what's been designated and sent to us by the court
11 reporter as your original deposition, and I'll
12 refer you to the lines and pages. So if you'll
13 just look here I'll just show you that the page
14 numbers are down here and the line numbers are
15 there. All right? I'm glad to help you find
16 anything.

17 All right. So if you could turn to
18 page 45.

19 MS. GANTT SORENSON: And you all have
20 copies as well. It might make it just a bit more
21 interesting in your dinner hour. You can read
22 along.

23 BY MS. GANTT SORENSON:

24 Q. Tell me when you've gotten to page 45.
25 Are you to page 45?

1 A. Yes.

2 Q. All right. And then if you could look
3 at line 24 and then all the way to page 46, line
4 one. And I'm going read it and you tell me if I've
5 read it right, okay?

6 MS. GANTT SORENSON: So, you know, just
7 making sure you all know, a deposition is where we
8 all meet and we take his deposition and a court
9 reporter, like today, is there typing down
10 everything we say. I'm asking the questions. He's
11 giving the answers.

12 BY MS. GANTT SORENSON:

13 Q. So Q., line 24 on page 45. Were you
14 receiving a salary greater than is provided for in
15 the Magistrates Pay Act?

16 Turn to page 46, line one. You answer
17 me no.

18 I say again, did you say no? I'm
19 sorry.

20 And you said, I said no.

21 All right. So the statute wasn't
22 violated then, was it, because you weren't
23 receiving a higher salary and, therefore, the
24 statute doesn't apply, nor does the reduction
25 apply, true?

1 A. I'm not sure I understand.

2 Q. Do you deny that I read your testimony
3 from your deposition correctly? Did I read it
4 right?

5 A. Yes, you read it right.

6 Q. Are you saying now that you were
7 receiving pay that was greater than what was
8 provided for in the statute?

9 A. No.

10 Q. All right. Well, then we'll move on
11 because the rest is a legal argument.

12 Now, in regards to the stipend, is the
13 stipend different than your salary?

14 A. What are you referring to as the
15 stipend?

16 Q. The stipend -- the \$1,500 stipend, for
17 example, or the \$4,500 stipend. Are both of those
18 different than your salary?

19 A. Yes.

20 Q. All right. Your salary, and we already
21 talked about this, was prescribed by statute, true?

22 A. The \$1,500 chief magistrate's
23 supplement --

24 Q. That's right. It was prescribed by --

25 A. -- is by statute.

1 Q. That's right, but I'm actually -- your
2 salary -- your specific salary was prescribed by
3 statute, true?

4 A. Within limits, yes.

5 Q. Right. And then, of course, the chief
6 magistrate's stipend was also prescribed by
7 statute?

8 A. Yes.

9 Q. Right. That's right.

10 Now, the 4,500 was not by statute, but
11 instead it was pursuant to county council motion,
12 and I believe that is Exhibit 1 in your exhibits
13 and you read from it earlier.

14 A. I did.

15 Q. All right. And so this is not a
16 statutory pay, but instead one that council gave
17 out of their own kindness or whatever notion, true?

18 MS. BALLARD: Object to the form of the
19 question.

20 BY MS. GANTT SORENSON:

21 Q. Council ordered the stipend for \$4,500
22 in 1995. I believe you've already testified to
23 that effect.

24 MS. BALLARD: I'll withdraw the
25 objection.

1 you say you were the one that volunteered to do it
2 in 1995?

3 A. I don't think I said I volunteered to
4 do it.

5 Q. I asked you if you were the one who
6 said -- one said not interested but would do his
7 part. And I said, was that you, Mr. Jayroe, and
8 you said yes.

9 A. Yes.

10 Q. And did you therefore prior to July 8,
11 2005 do any weeknight after hour call work?

12 A. Not that I recall.

13 Q. But you can agree with me that your
14 salary as a magistrate did not include a stipend
15 until you became the chief magistrate?

16 A. Yes.

17 Q. And so you can agree with me that the
18 stipend in regards to the statutory chief
19 magistrate goes to whoever is the chief magistrate?

20 A. Anybody -- repeat that last question.
21 That I did not receive a stipend --

22 Q. You did not receive the statutory
23 stipend until you became the chief magistrate?

24 A. Yes, that is correct.

25 Q. And you did not receive any amount of

1 the on-call stipend -- what you referred to as the
2 on-call stipend until you directed it on July 8,
3 2005 as the position -- in your position as chief
4 magistrate?

5 A. I'm trying to remember if I might have
6 received part of it while Mark English was still --
7 and I don't recall.

8 Q. I think you did effective July 8, 2005.
9 If you'll turn to --

10 A. When I was the associate chief
11 magistrate?

12 Q. Right. If you'll turn to your
13 Exhibit 6.

14 MS. BALLARD: Yes, our Exhibit 6.

15 THE WITNESS: Okay.

16 BY MS. GANTT SORENSON:

17 Q. And were you the associate or the chief
18 at the time?

19 A. Well, it's on the order.

20 Q. If you could just turn to Exhibit 6.
21 You signed it. You're at the bottom of it.

22 A. Okay. So that was -- okay. Yes,
23 that's when it started.

24 Q. Well, but my -- and also, were you the
25 chief or were you the associate at that time?

1 A. Effective July 1st I would have been
2 the chief magistrate.

3 Q. That's what I thought.

4 A. Yeah.

5 Q. July 8, 2005, when you wrote that
6 e-mail you were the chief magistrate? I mean that
7 facsimile. It wasn't an e-mail. Sorry.

8 A. Right.

9 Q. That's right. You were the chief
10 magistrate, and you said you were appointed chief
11 magistrate on July 1 of 2005; is that right?

12 A. I think that's correct.

13 Q. So seven days later you wrote this
14 letter and said now we're going to split that
15 stipend -- the on-call stipend between me and Judge
16 English, true?

17 A. Yes.

18 Q. All right. Now, who was receiving the
19 entirety of the stipend prior to you doing that?

20 A. I suppose that would have been Judge
21 English.

22 Q. So Judge English was getting all the
23 stipend and then when you sent the letter you all
24 started splitting it; is that correct?

25 A. I'm not sure if he was receiving it all

1 or not. I assume that he was.

2 Q. If you wanted to be kind to him why
3 wouldn't you just let him keep all of it then?
4 Weren't you also causing him to suffer another
5 decrease in pay?

6 A. No, because county council had
7 indicated that it must be -- certainly part of it
8 goes to the chief magistrate.

9 Q. Well, now, in 1995 through the minutes
10 that we just read I don't see where county council
11 says it must go to the chief magistrate.

12 A. Mr. Waldrop made a motion to split the
13 pay of \$4,500 between chief magistrate and
14 assistant magistrate. So obviously the chief
15 magistrate was going to receive some of that unless
16 the county council had negated these minutes.

17 Q. Well, I don't -- I just don't see -- I
18 guess I read that differently. I don't see where
19 that says that county council has directed that
20 stipend must go to the chief magistrate.

21 MS. BALLARD: Is that a question?

22 MS. GANTT SORENSON: Yes.

23 BY MS. GANTT SORENSON:

24 Q. True?

25 A. Let me -- let me read it again.

1 all the weeknight call?

2 A. That was the interpretation that I
3 generally took, yes.

4 Q. And you said about 49 to 50 weeks a
5 year you did it, but then about two weeks you
6 assigned it to somebody else?

7 A. I did.

8 Q. Did you pay them a little bit of a
9 portion of the stipend?

10 A. I did not.

11 Q. Did you --

12 A. I did not. They never asked for it.

13 Q. All right.

14 A. It's just -- if I may expand and
15 clarify. It's like on weekend call. If one
16 magistrate wants to cover for another or one
17 magistrate needed relief, it was done and I don't
18 know of anyone who ever requested compensation from
19 another magistrate for covering somebody else's
20 call.

21 Q. But you didn't think it would have been
22 fair to give them some of that stipend that you
23 contend was meant for the weeknight call?

24 A. If they would have asked for it I would
25 have certainly tried to make reparation for it.

1 Q. All right. In regards to your
2 Exhibit 12, which is back to that August 28, 2014
3 letter, and the attachments --

4 A. Would you please identify that again?
5 I'm sorry.

6 MS. BALLARD: Exhibit 12.

7 BY MS. GANTT SORENSON:

8 Q. It's Exhibit 12 and the attachments
9 that follow it. Specifically, the part-time
10 magistrate weekly time report that was attached.
11 Do you have that in front of you?

12 MS. BALLARD: Exhibit 7?

13 MS. GANTT SORENSON: Actually, I'm
14 referring to Exhibit 12, one of the attachments,
15 the part-time magistrate weekly time report --

16 THE WITNESS: I see that.

17 BY MS. GANTT SORENSON:

18 Q. -- attached to the August 28th letter.

19 Now, this was a form that was provided
20 by the county administrator, and I think we all
21 agree that while the county administrator does not
22 direct or schedule the hours any of the magistrates
23 are going to work that the county is responsible
24 for paying the magistrates for the time they work,
25 true?

1 A. Yes.

2 Q. All right. So when you were presented
3 this form, isn't it fair to say you didn't take
4 issue with it because you thought -- you thought
5 somebody was trying to schedule the hours you
6 worked?

7 A. Yes.

8 Q. But you wouldn't fill it out?

9 A. I did not.

10 Q. Now, why is that?

11 A. I viewed this as being paid for weekend
12 call and I felt that since I was in my office six
13 hours and I was being paid for ten that that four
14 hours was adequate to compensate me for my weekend
15 call and I did not want to double dip.

16 Q. And I think that's what you said, that
17 you didn't want to double take, in your deposition.

18 But, now, this form says Sunday,
19 Monday, Tuesday, Wednesday, Thursday, Friday,
20 Saturday, true?

21 MS. BALLARD: Which form?

22 MS. GANTT SORENSON: The form I've been
23 referring to. It's attached to the letter of
24 Exhibit 12.

25 MS. BALLARD: I see.

1 THE WITNESS: It does.

2 BY MS. GANTT SORENSON:

3 Q. And so if you were saying, well, this
4 is because I don't want to double take and,
5 therefore, I don't want to fill out this form, that
6 would -- because the weekend, that would have been
7 just been Friday and Saturday, and yet you didn't
8 fill out anything for Sunday, Monday, Tuesday,
9 Wednesday, Thursday either, did you?

10 A. I did not.

11 Q. Would you agree that if the county is
12 responsible for paying magistrates for the hours
13 they work doesn't it follow that they would then
14 want to track those hours so that they can make
15 sure they were able to pay the magistrates
16 appropriately?

17 A. That's an assumption.

18 Q. And, in fact, when you were testifying
19 about the training earlier you specifically
20 mentioned the training and how you applied for
21 extra pay for the training that was done, and I
22 believe that was your Exhibit 8, if you could
23 reference it. Your Exhibit 8.

24 A. Yes.

25 Q. And so that was when you asked for

1 yourself as well as the other magistrates who went
2 to this training to get paid for the time they
3 spent and you submitted time records for that. Are
4 those also in your Exhibit 8? I have those in our
5 Exhibit 6, the time records that went, and those
6 are already admitted.

7 A. I think I recall that.

8 Q. Right. So you submitted time records
9 for the -- to get paid for the training, but you
10 wouldn't submit time records to be paid for the
11 on-call work?

12 A. The training was an isolated
13 occurrence. I viewed the on call as an ongoing
14 thing that had been there for over 20 years.

15 Q. Mr. Jayroe, is it fair to say you did
16 not want to complete this form because you knew it
17 would require you to be paid less than the \$4,500
18 stipend?

19 A. No, it is not.

20 Q. All right. Now --

21 A. Because, quite frankly, the county
22 couldn't reduce my pay anyhow. They would have had
23 to virtually double pay me.

24 Q. Well, I think that's probably for them
25 to decide with the assistance of a lawyer.

1 A. I think it does go into the Magistrates
2 Pay Act.

3 Q. It does.

4 All right. Now, I believe you also
5 testified to the council that in fact you're
6 expecting to be paid 77.5 hours a week for the time
7 you spent scheduled to be on call, true?

8 A. No, I don't think so. I think --

9 Q. All right. Would you turn to my
10 Exhibit 12 in the binder or you can just look at
11 Exhibit 5 from your deposition.

12 A. Which exhibit?

13 Q. Exhibit 12.

14 A. Exhibit 12.

15 Q. There you go.

16 A. Uh-huh.

17 Q. Now, isn't that something you wrote out
18 for me when I was taking your deposition and I
19 asked you: Tell me the hours you spent scheduled
20 on call. Tell me the hours that you contend you
21 were scheduled on call that you're seeking payment
22 for.

23 A. I think you asked me to put down the
24 hours scheduled to be on call, and I did that.

25 Q. Right. And I think I asked you were

1 these the hours that you wanted to be paid for as
2 well.

3 A. You may have. I don't recall that
4 precisely.

5 Q. And didn't you just tell this council
6 here today that that's actually one of your
7 options, is that you would be paid 77.5 hours a
8 week as one of your options for being what you
9 contend is made whole?

10 A. If they wish to do that they certainly
11 could. However, I think it was put down there, the
12 second option, for illustrative purposes
13 specifically so they can see the amount of time
14 that I did in fact work and the level that I was
15 being paid and that I was providing a rather, I
16 think, full service to Newberry County, South
17 Carolina.

18 Q. I think you worked out your hourly rate
19 at \$26.85 an hour?

20 A. I think I did.

21 Q. And I might have -- I'm not an
22 accountant, so I had 26.95 and I multiplied that
23 for one year times 50 weeks and that comes out to
24 \$104,430. Does that sound about right?

25 A. What did I come up with?

1 Q. Well, you have your options.

2 A. And your number was what?

3 Q. For one year, if we take 77.5 times
4 50 hours -- I mean times 50 weeks, I came up with
5 \$104,430.

6 A. I came up with an illustrative number
7 of less than yours.

8 Q. Okay. But, now, if you were chief
9 magistrate don't you think you had a duty to tell
10 this council that they were looking at some high
11 dollar monetary tags from you for the work that you
12 were doing?

13 A. I don't think it's my job to advise
14 council on how they interpret what they do or what
15 they suggest as an assignment. Council has its own
16 legal counsel and I think legal counsel and the
17 administration should have known clearly what was
18 going on all this time and I think they're the ones
19 that certainly had an obligation to inform council,
20 if anyone did.

21 Q. You don't think you had a
22 responsibility to this county to alert its council
23 as well as the folks in the county that you
24 intended to ask for approximately \$300,000 worth of
25 pay for time you spent scheduled on call?

1 A. Again, I don't inform council. I
2 respond to what council directs me to do, and I did
3 that.

4 Q. Now, you testified earlier about the
5 time you spend actually working when you're
6 scheduled to be on call. Do you remember that?

7 A. In the deposition?

8 Q. Right.

9 A. Yes, I think so.

10 Q. Page 23. Because today you went
11 through a bunch of things as far as what you did
12 when you're on call and how much it involves.

13 MS. BALLARD: Page 23?

14 BY MS. GANTT SORENSON:

15 Q. Page 23, line 24. Tell me when you're
16 there. Are you there?

17 A. Yes, I am.

18 Q. All right. Correct me if I read it
19 wrong. Page 23, line 24. Question: Can you
20 approximate for me an average amount of time in the
21 week that you spent responding to calls that you
22 got when you were on call in the week as a
23 magistrate? And I mean after hours, not during the
24 week.

25 Answer: No. It wasn't all that often.

1 A. That's correct.

2 Q. All right. So you admitted, too, to me
3 in your deposition that you were not working at
4 your magistrate duties the whole time you were on
5 call; is that true?

6 A. Did I?

7 Q. Page 63, line 21. Tell me when you're
8 there.

9 A. I'm there.

10 Q. All right. Question: Okay. Now,
11 you're not contending that during those hours that
12 you've just written on this piece of paper that you
13 were also doing work during all of that time, are
14 you?

15 Answer: I was on call that time.

16 Next page. All right. But I mean --

17 Answer: No, I'm not working the whole
18 time.

19 All right.

20 A. That's correct.

21 Q. Did you admit to me that you were able
22 to do other work, CPA work, and also to sleep while
23 you were on call?

24 A. Sure.

25 Q. You remember admitting that to me?

1 A. I --

2 Q. It's page 75.

3 A. I think that's a true statement whether
4 I admit it or not.

5 Q. Okay. And you admitted to me in your
6 deposition that you didn't think you should be paid
7 for time you spent sleeping?

8 A. I think I made that comment, yes.

9 Q. I'd like us to read that because you've
10 asked this council to award sleeping time to you
11 today. Can we go to page 76, lines eight through
12 ten.

13 A. Again, let me reiterate the second
14 option was an illustrative option.

15 Q. But in your deposition did you not tell
16 me that you didn't think you should have to be paid
17 for sleeping?

18 A. I think I recall that, yes.

19 Q. And in your deposition you advised me
20 when I asked you that you didn't work any more than
21 40 hours a week; isn't that true?

22 A. Where?'

23 Q. Page 64.

24 A. Sorry. I did not spend a whole lot of
25 time rereading the deposition.

1 Q. I did.

2 A. I'm sure.

3 Q. Page 64, lines 8 through 17. Are you
4 there?

5 MS. BALLARD: It starts on line eight.

6 BY MS. GANTT SORENSON:

7 Q. Are you there?

8 A. Yes.

9 Q. Question: Specifically --

10 A. And you're correct. I did say that.

11 Q. Let's read this. Specifically
12 paragraph F, the last sentence, which is a little
13 hard to read on this copy, but part-time magistrate
14 must not work more than 40 hours a week. Were you
15 familiar with that statute?

16 Answer: Yes.

17 Question: Are you in violation or were
18 you in violation of that statute during the time
19 you were chief magistrate?

20 Answer: No.

21 A. That is correct.

22 Q. But now today you sat up here and told
23 this council that you worked 77.5 hours a week and
24 that you want them to pay you as if you were a
25 full-time magistrate because actually now you're

1 saying that you do work 40 or more hours a week.

2 A. May I explain?

3 Q. Please.

4 A. Actually, I've never said I worked 77
5 and a half hours a week. I said I was on call for
6 that amount of time at the direction of this
7 council.

8 Q. But you have asked them to go ahead and
9 designate you under Option A as a full-time
10 magistrate because you worked more than 40 hours a
11 week after you told me in your deposition on August
12 24th that you did not violate that statute.

13 A. I did not.

14 Q. You did not what?

15 A. Violate the statute.

16 Q. Who is responsible for setting the
17 hours pursuant to the statute? It's you, isn't it?

18 A. I suppose.

19 Q. It is. And you told me in your
20 deposition that you did not work 40 hours in
21 violation of that statute in a week; isn't that
22 true?

23 A. True.

24 Q. And that was your obligation as chief
25 magistrate not to schedule yourself doing so; am I

1 correct?

2 A. Unless directed to do so.

3 Q. By the chief magistrate.

4 A. Or at what point in time does the chief
5 magistrate tell county council --

6 Q. We're going to have to read this again.

7 A. -- that we're not going to do it.

8 Q. 22-8-40(f) -- and you tell me if I read
9 this right. However, a part-time magistrate must
10 not work more than 40 hours a week unless directed
11 to do so on a limited and intermittent basis by the
12 chief magistrate. Does it say council can do that?

13 A. No.

14 Q. Thank you.

15 You testified that you did not keep a
16 record of how often you were called out, true?

17 A. Yes.

18 Q. And you did not keep a record of the
19 number of hours you spent responding to a call?

20 A. No.

21 Q. How is the county supposed to determine
22 how much time you spent on call if you kept no
23 record of it?

24 A. Obviously the county didn't care how
25 much time I spent on call or how much time I

1 responded. They made a decision to pay \$4,500 for
2 that time.

3 Q. You're asking this council here today
4 to pay you on time records you did not keep?

5 A. I think I made my statement pretty
6 clear.

7 Q. Didn't the county attempt to fairly
8 estimate what they owed you? That's -- now I'm
9 referring to that chart that you say you got that
10 you surmised because you got it in FOIA and you
11 looked at the math of it and thought it was wrong
12 and all that.

13 MS. BALLARD: That's attached to
14 Exhibit 12. The last page, I think.

15 THE WITNESS: It's not 12.

16 BY MS. GANTT SORENSON:

17 Q. It's you all's 12.

18 A. Would you repeat your question?

19 Q. My question is: Did not the county
20 attempt to fairly estimate what they thought they
21 might have owed you? And I'm referring to that
22 chart that you have that was attached to your
23 Exhibit 12.

24 A. I'm not sure what the county thought,
25 but clearly this is not a fair offer.

1 Q. A fair offer is \$300,000?

2 A. Again, I said that was for illustrative
3 purposes. Why would the county want to reduce my
4 weekend on-call pay by \$13,500?

5 Q. Do you remember -- and I think you
6 testified to this today too -- that you thought
7 your statutory salary actually encompassed weekend
8 call?

9 A. There was my interpretation, yes.

10 Q. And that as a result, you didn't want
11 to fill out the form and ask for more because you
12 did not want to double take from the county?

13 A. That is correct.

14 Q. And yet you'll sit here and ask them
15 for the amount of damages today -- so today you not
16 only want to double take, you want to kabillion
17 take?

18 A. No. That is an incorrect statement.

19 Q. You also testified that you didn't
20 think the other part-time magistrates should
21 receive any additional income for the weekend call,
22 true?

23 A. I felt that the hours were probably
24 close to covering it.

25 Q. And you also testified that when you

1 found out they were going to get this extra money
2 that we outlined in that chart that you thought you
3 needed to schedule them for more office hours so
4 that they would make sure they were working for the
5 money they earned, true?

6 A. I said that that was an option, if my
7 memory serves me correctly.

8 Q. Could you please turn to Exhibit 7 in
9 my exhibits. Exhibit 7.

10 Mr. Jayroe, is this an e-mail that you
11 sent on July 27, 2007 to all of the magistrates?

12 A. I believe it is.

13 Q. And I'm just going to read part of it.
14 You certainly can read all of it. In the first
15 paragraph, Judges, the question has arisen as to
16 the number of hours part-time magistrates would be
17 compensated when they dispose of backlogged jury
18 trials at the Newberry County Central Traffic
19 Court. In an effort to answer this question County
20 Administrator Adams, myself and the county's labor
21 law attorney discussed this matter. According to
22 legal counsel -- specifically in Exhibit 7,
23 Mr. Jayroe, did you not write, the county is only
24 required to pay a magistrate for the hours of
25 service that he or she renders.

1 A. Sure, I did.

2 Q. Watch football, play basketball,
3 whatever it is -- cross stitch like I do? You were
4 free to do any of that, true?

5 A. As long as I could be available within
6 a reasonable amount of time when the need arose,
7 yeah.

8 Q. So it's fair to say that your time was
9 primarily your own unless you were called out,
10 true?

11 A. That's certainly an opinion.

12 Q. My question is: Were you fairly --
13 were you able to use your time primarily for your
14 own when you were scheduled to be on call unless
15 you were called out?

16 A. I had restrictions on my conduct when I
17 was on call. I had to stay within a reasonable
18 proximity.

19 Q. But you --

20 A. Interpret that how you will.

21 Q. But you were allowed to go on about
22 your business in your home or your grocery shopping
23 or whatever it is that you were going to be doing,
24 true?

25 A. I had the privilege of doing things

1 increases were before you decide to hitch your
2 horse to that wagon?

3 A. Again, I don't make the statute.

4 Q. You never reported that you were
5 unhappy with your pay to anybody on council or
6 anybody in court administration until this -- until
7 this petition; isn't that true?

8 A. That is correct.

9 Q. And is it fair to say that you didn't
10 become unhappy until August 28, 2014, when the
11 stipend was suspended?

12 A. No, I wouldn't say that exactly. For
13 the last virtually 20 years, certainly the last
14 ten, I tried to get along and be a team player. I
15 tried to do what the chief justice wanted done. I
16 tried to do what I believed council wanted done in
17 accordance with these minutes. And I took that
18 position and I did it. When I was basically
19 removed from being magistrate I read the statute
20 and decided perhaps I was due more than I was
21 actually paid for some of those years and at that
22 point in time we considered -- I considered filing
23 a grievance.

24 Q. Now, you also filed another action, I
25 believe, where you said that there were -- did you

1 questions.

2 MS. BALLARD: I just have a couple of
3 very brief follow-up questions. I want to be
4 clear. Since it's brief I'm just going to stand
5 here, if it's okay with everybody.

6 EXAMINATION

7 BY MS. BALLARD:

8 Q. Just to be clear, during the entire
9 time that you were a part-time magistrate in
10 Newberry County, did Newberry ever have any
11 ministerial magistrates to assist with on-call
12 coverage?

13 A. No. There were no assigned ministerial
14 magistrates or no appointed ministerial
15 magistrates.

16 Q. And if ministerial magistrates had been
17 provided, who would have provided them?

18 A. They would have been appointed by the
19 governor with the advice and consent of the senate.

20 Q. Okay. In the absence of any
21 ministerial magistrates, what obligation did you as
22 chief magistrate have to ensure that the chief
23 justice's order regarding 24-hour coverage was
24 complied with?

25 A. It was my obligation to make sure that

1 it was provided for.

2 MS. BALLARD: That's all I've got.

3 Thank you.

4 MR. CHAIRMAN: Thank you.

5 MS. GANTT SORENSON: No further
6 redirect.

7 MR. CHAIRMAN: Okay. Thank you.

8 Counsel for Newberry County,

9 Ms. Christine Gantt Sorenson.

10 MS. GANTT SORENSON: Yes. All right.

11 I call Mr. Adams.

12 THE WITNESS: I haven't been sworn yet.

13 MS. GANTT SORENSON: Right. I think
14 she'll -- she's about to direct you to do that.

15 WAYNE ADAMS

16 being first duly sworn, testified as follows:

17 EXAMINATION

18 BY MS. GANTT SORENSON:

19 Q. Mr. Adams --

20 A. Yes.

21 Q. -- could you put the exhibit file in
22 front of you so that you have it easier to
23 reference? You got it?

24 A. I think so, yes.

25 Q. Okay. Great.

1 Q. When did you become county
2 administrator?

3 A. In September of 2006.

4 Q. Okay. What did you know about that
5 stipend prior to -- or when you came on as county
6 administrator?

7 A. I learned that there was a stipend paid
8 by the county council for on-call work.

9 Q. And do you know who received the
10 stipend when you became county administrator?

11 A. My understanding was that Judge Jayroe
12 was receiving all of it.

13 Q. All right. Was anyone else -- was
14 there -- was the stipend ever shared during your
15 tenure as county administrator, to your knowledge,
16 with any other magistrate?

17 A. Not to my knowledge.

18 Q. I know that there's been some reference
19 to the statutory stipend of 1,500 for chief
20 magistrate, as well as the county council stipend
21 of 4,500 being coupled with the salary in certain
22 documents. Was it your intention that those
23 statutory as well as county council stipends were
24 actually part of Mr. Jayroe's salary?

25 A. No, because they didn't belong to him

1 and him alone forever. They could be paid to
2 whoever was fulfilling the function that those
3 stipends were supposed to compensate.

4 Q. All right. Now, at some time in 2014
5 did you approach Newberry County Council suggesting
6 a replacement of the \$4,500 stipend that they had
7 ordered back in 1995 and a new procedure for
8 on-call compensation?

9 A. Yes, I did.

10 Q. All right. I'm going to direct you to
11 Exhibit 14 in our book.

12 A. Yes.

13 Q. All right. Now, what precipitated this
14 memo?

15 A. There was a decision by Judge Frank
16 Addy in a case involving Newberry County. It was
17 Abraham versus Newberry County and it was
18 specifically about a magistrate's compensation.

19 Q. And specifically what did you take from
20 that opinion that caused you to want to approach
21 county council with this July 16, 2014 memorandum?

22 A. Well, there was language in the -- in
23 the decision that said -- that indicated that
24 perhaps magistrates should be paid -- part-time
25 magistrates should be paid for on-call pay, for

1 scheduled on call. The advice I got from my legal
2 counsel in that case was that we should be paying
3 at least for the hours worked. Judge Addy is not
4 specific in his order what this pay ought to be.
5 It doesn't seem to be something that's part of the
6 Magistrates Pay Act so we're left kind of wondering
7 what is meant.

8 Q. As a result of that, did you think it
9 was law that had to be followed? Is that why you
10 came forward?

11 A. No. What I feared was the potential
12 for disputed claims.

13 Q. And so what was your reason then for
14 coming forward even if you weren't sure if it was
15 law that had to be followed?

16 A. Well, to fix the county's risks or to
17 limit it.

18 Q. So you wanted to manage the risk?

19 A. Yeah, to get ahead of what I
20 anticipated would be disputed claims.

21 Q. Okay. And when you say disputed
22 claims, do you mean that the county would dispute
23 that there was entitlement to it?

24 A. We have to because the magistrates
25 didn't provide any records for the hours they

1 worked.

2 Q. Also was this required pursuant to the
3 Magistrates Pay Act previously in your
4 interpretation of it?

5 A. No.

6 Q. So you just wanted to get out in front
7 and be proactive to try to risk manage what might
8 be possible but disputed claims?

9 A. Correct.

10 Q. Okay. Now, I'd refer you to your memo
11 and ask you: After you sent this July 16, 2014
12 memo did you have any conversation with council at
13 that time?

14 A. I don't recall any particular
15 conversation, no.

16 Q. All right. I'll direct you to
17 Exhibit 2 in our manual.

18 MR. DUBBERLY: Which exhibit?

19 MS. GANTT SORENSON: Exhibit 2.

20 MR. DUBBERLY: Thank you.

21 BY MS. GANTT SORENSON:

22 Q. All right. Now, Exhibit 2, is that a
23 document you recognize?

24 A. It is.

25 Q. And what is this?

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1 A. This is an e-mail from me to county
2 council.

3 Q. And it's dated August 6, 2014?

4 A. Correct.

5 Q. And what are you asking county council
6 to do?

7 A. I'm asking for permission to negotiate
8 with these magistrates about the potential claims.

9 Q. All right. And you specifically say
10 you'd like to -- you've asked for an executive
11 session to do this after the public safety and
12 courts committee meeting?

13 A. Correct.

14 Q. And then you've attached a document
15 that appears as an attachment in Exhibit 2 entitled
16 Part-Time Magistrates On-Call Compensation Three
17 Years?

18 A. Yes.

19 Q. Did you prepare this document?

20 A. I did, with the assistance of finance
21 and HR staff.

22 Q. All right.

23 MS. BALLARD: I'm sorry. Finance
24 and...

25 THE WITNESS: HR.



1 BY MS. GANTT SORENSON:

2 Q. And who are the three magistrates named
3 in the form?

4 A. Rick Lail, Barry Koon and Art Jayroe.

5 Q. And at the time that you were proposing
6 this in August of 2014 were those the three
7 part-time magistrates for Newberry County?

8 A. Yes, they were.

9 Q. Okay. Now, you have their date of hire
10 and you have their current pay, what they're
11 receiving biweekly and annually. Were you able to
12 derive from those figures their average hourly
13 rate?

14 A. Yes, we did.

15 Q. And so that's that category that reads
16 hourly rate?

17 A. Correct.

18 Q. And then the scheduled hours that
19 they're required to work, that's a category there
20 as well?

21 A. Yes. Scheduled biweekly.

22 Q. Now, how did you come up with the
23 numbers under hours to be compensated?

24 A. Well, as I said, the magistrates more
25 or less left us in the dark without any records for

1 time. We used stipulated facts in the Abraham case
2 to come up with the number.

3 Q. And what stipulated facts specifically?
4 What number did you get from the Abraham case?

5 A. 200 hours per year, I believe.

6 Q. And did you perceive that that was a
7 generous amount of time to consider them having
8 worked on call?

9 A. I did, yes.

10 Q. And, now, you said 200, but I look
11 there at Mr. Lail and it says 600. Where did you
12 get 600?

13 A. That would be for three years.

14 Q. All right. So 200 times three.

15 A. Yes.

16 Q. And why does Judge Koon only have 220?

17 A. He had not been with us at that time
18 for -- it looks like maybe a little more than a
19 year.

20 Q. All right. So his hire date was
21 June 1, 2013, and this was being prepared in August
22 or September of 2014?

23 A. Yes.

24 Q. And that's why it's 220.

25 And then, of course, for Judge Jayroe

1 there was 600 again?

2 A. Yes.

3 Q. And then the on-call compensation, how
4 did you arrive at the figures in that category?

5 A. That is the hourly rate multiplied by
6 the number of hours.

7 Q. All right. So, for example, in Judge
8 Lail's case, 2,998, which would be the hourly rate,
9 times 600 hours equals \$17,989.50, and that's how
10 you got there?

11 A. Yes.

12 Q. Okay. Now, I noticed in Judge Jayroe
13 or Mr. Jayroe's category, under adjustment for
14 previous compensation that there is an offset of
15 13,5-. What is that for?

16 A. He had been receiving \$4,500 in
17 compensation for on-call.

18 Q. So for the three years that he received
19 that you deducted it from the calculation of his
20 average hourly rate times the 600 hour number?

21 A. Yes.

22 Q. Now, had Mr. Lail received any
23 stipend -- on-call stipend?

24 A. He had not.

25 Q. And same with Mr. Koon?

1 A. Correct.

2 Q. So neither one of them had to have any
3 deductions from theirs for already being paid
4 on-call?

5 A. That's correct.

6 Q. And were these calculations your
7 attempt to proactively address what might be
8 perceived generously as the on-call time they spent
9 in the last three years?

10 A. Yes.

11 Q. So, in other words, this calculation
12 was meant to compensate for any allegations that
13 they had not received payment for on-call work?

14 A. Right, a potential disputed claim.

15 Q. And, of course, Mr. Jayroe had received
16 payment for on-call work in those prior years?

17 A. Yes.

18 Q. Okay. Now, did Mr. Lail and
19 Mr. Koon -- Judge Koon, did they accept the amount
20 of on-call compensation that you proposed to pay to
21 them?

22 A. They did.

23 Q. And did they sign releases for them?

24 A. They did.

25 Q. And what about Mr. Jayroe?

1 A. He did not.

2 Q. All right. So you've attached this
3 form and you've written to the county council on
4 August 6th and asked them for an executive session.
5 At some point then did you proceed thereafter and
6 have an executive session?

7 A. Yes, we did.

8 Q. Okay. And tell me about the executive
9 session. Was council present?

10 A. They were.

11 Q. And did you explain the issue that you
12 had outlined in your July 16, 2014 memo as well as
13 your August 6, 2014 e-mail and the attached chart?

14 A. I did, yes.

15 Q. Were they listening and were they
16 involved?

17 A. They were. They were listening and
18 involved.

19 Q. Did you think they were required to be
20 involved in this discussion?

21 A. I did.

22 Q. Okay. Did the council vote to proceed
23 with a letter to Senator Cromer in regards to
24 eliminating any part-time magistrates in Newberry
25 County?

1 A. They did.

2 Q. Did council approve of your plan on how
3 to address the Abraham opinion?

4 A. They didn't take a specific vote, but
5 the feeling generally was that they understood what
6 I proposed to do, and it's been 14 months since and
7 I've heard no complaint from either council or any
8 of the other magistrates.

9 Q. Did you have any objections from
10 council during executive session that night when
11 you were explaining?

12 A. I did not.

13 Q. And as a result of that executive
14 session, did you proceed as planned?

15 A. I did.

16 Q. Did you believe that you had the
17 support of council for implementing this new
18 on-call for hours worked pay system?

19 A. Yes, I did.

20 Q. All right. Now I'll refer you to
21 Exhibit 1 in our book.

22 All right.

23 MS. BALLARD: Just for the council's
24 benefit, that's a duplicate of one of the exhibits
25 that you've been looking at in our book as well.

1 MS. GANTT SORENSON: A lot of them are,
2 right. That's Exhibit 12 in their book.

3 BY MS. GANTT SORENSON:

4 Q. So the August 28, 2014 letter, is this
5 written notice to all of the effective magistrates
6 of the change?

7 A. Yes, it is.

8 Q. And you also attached a form, which if
9 you flip to the third page over -- the fourth page
10 over, who prepared the part-time magistrates weekly
11 time report?

12 A. Who prepared the part-time --

13 Q. That form.

14 A. I see what you're saying. I was
15 looking at the release form. I think it was either
16 me or HR or some combination.

17 Q. And what did you ask the magistrates --
18 the part-time magistrates to do with this form in
19 your August 28th letter?

20 A. To report the actual time they were
21 working outside their normal hours.

22 Q. Okay. And up until that time were any
23 of the part-time magistrates submitting records of
24 their hours worked?

25 A. They were not.

1 Q. Did you know the precise amount of time
2 that part-time magistrates were working on call?

3 A. I could not have.

4 Q. Was there any way for you to calculate
5 how much time the part-time magistrates had spent
6 working on call prior to this time?

7 A. No.

8 Q. Did this document, the part-time
9 magistrates weekly time report that you attached to
10 the August 28th letter, give the county a way to
11 track the hours that the part-time magistrates were
12 responding to calls?

13 A. Yes. I thought so.

14 Q. Okay. Was this what you thought was
15 the best practice to implement after the opinion in
16 the Abraham case?

17 A. Absolutely.

18 Q. Did all of the part-time magistrates
19 submit the completed form?

20 A. Not all of them, no.

21 Q. Okay. Which ones didn't?

22 A. Just Former Magistrate Jayroe.

23 Q. Okay. Did the other two, Mr. Lail and
24 Mr. Koon, submit their forms?

25 A. They did.

1 Q. All right. And as a result of them
2 submitting the forms, please turn to Exhibit 8.

3 MS. BALLARD: Your Exhibit 8?

4 BY MS. GANTT SORENSON:

5 Q. My Exhibit 8. And I would ask you to
6 tell the council what this form is.

7 A. This shows the days worked and the
8 number of on-call hours worked by the respective
9 part-time magistrates.

10 Q. There for magistrate on call it says,
11 Lail, Koon, Lail, Koon, and the payroll date is --
12 on the far side it has the dates from 9/12/2014
13 through 5/22/2015. Have I read that correctly?

14 A. I see --

15 Q. All the way down to 6/19.

16 A. Yeah, 6/19/2015. Yes, I see what
17 you're saying.

18 Q. And the only magistrates that are
19 reflected on this schedule or on this -- excuse
20 me -- this form are Lail and Koon?

21 A. Yes.

22 Q. And then it has under that hours worked
23 category specific hours worked while they were on
24 call?

25 A. Yes.

1 Q. And there's their hourly rate again.
2 And so it reflects the payments and the dates that
3 they were made in the last two categories?

4 A. Yes.

5 Q. So were the magistrates who submitted
6 their hours on that form paid?

7 A. They were.

8 Q. All right. In your opinion, was this a
9 fair estimate or proposal to settle what was a
10 disputed and doubtful claim?

11 MS. BALLARD: I would object,
12 Mr. Chairman. She's asking for an expert opinion
13 from a lay witness, which is not appropriate.

14 MR. DUBBERLY: Okay.

15 MR. CHAIRMAN: Your advice.

16 MR. DUBBERLY: Yeah, I didn't really
17 see anything inappropriate with that question. We
18 all know what his answer is going to be.

19 MS. BALLARD: In his opinion was it
20 fair -- she's asking his legal opinion.

21 MS. GANTT SORENSON: I'm actually
22 asking his county administrator opinion.

23 MR. DUBBERLY: Yeah.

24 MS. BALLARD: His county administrator
25 opinion, for what it's worth, yes, that's fine.

1 I'll withdraw the objection.

2 THE WITNESS: Yes, I think it's fair.
3 It brings some clarity to the process. It had been
4 very vague.

5 BY MS. GANTT SORENSON:

6 Q. All right. And so I think you said
7 that it was accepted by Judge Lail and Judge Koon,
8 but not Judge Jayroe?

9 A. Correct.

10 Q. And that also meant the Judge Lail and
11 Judge Koon signed that release that you had
12 attached to your August 28th letter which is one of
13 the exhibits in Exhibit 1, true?

14 A. That's true.

15 Q. All right. But Mr. Jayroe never signed
16 a release?

17 A. No.

18 Q. All right. When approximately did
19 Judge Lail and Judge Koon receive their money
20 pursuant to this plan?

21 A. I don't know the exact date, but it was
22 soon after they signed the release.

23 Q. All right. And so was it close in time
24 to when you sent out the August 28th letter as
25 well?

1 A. As I recall, yes.

2 Q. You said Mr. Jayroe never signed the
3 release. Did you ultimately send him his amount of
4 money that you calculated due?

5 A. I did.

6 Q. And that was \$2,608.50?

7 A. I believe so, yes.

8 Q. Do you remember when you sent it?

9 A. I don't remember the exact date. It
10 was probably in the last six weeks.

11 Q. And why --

12 MS. BALLARD: I'm sorry. Did you say
13 within the past six weeks?

14 THE WITNESS: I think so.

15 BY MS. GANTT SORENSON:

16 Q. And why? Why did you do it at this
17 late date?

18 A. It was clear he wasn't going to sign
19 any release. He was already bringing legal action
20 and we just wanted to close the loop on it. I
21 mean, that was what we decided was the best thing
22 to do and if he was not going to avail himself of
23 it, so be it.

24 Q. All right. Did Mr. Jayroe ever advise
25 you or anyone at the county, to your knowledge,

Wayne Adams- Cross-Examination by Ms. Ballard

ROA 0156
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1 Q. And do you know if he ever advised you
2 or anyone at the county that he was working more
3 than 40 hours or more than -- more hours than he
4 should be?

5 A. Never.

6 MS. GANTT SORENSON: I have no further
7 questions.

8 EXAMINATION

9 BY MS. BALLARD:

10 Q. Mr. Adams, what legal training do you
11 have?

12 A. None.

13 Q. What kind of professional training do
14 you have?

15 A. I have a master's in public
16 administration from the University of South
17 Carolina.

18 Q. Have you ever studied law?

19 A. No.

20 Q. Okay. Have you read the petition for
21 redress that was filed by Mr. Jayroe in this
22 action?

23 A. Yes.

24 Q. Have you discussed the petition for
25 redress with any of the members of county council?

A W R

Wayne Adams- Cross-Examination by Ms. Ballard

ROA 0157
155

1 A. I've made them aware of it. I haven't
2 discussed it in detail, no.

3 Q. In what way did you make them aware of
4 it?

5 A. Forwarded them a copy.

6 Q. Did you discuss it with them at all?

7 A. No.

8 Q. Did you send them any memorandum about
9 your position on it?

10 A. I don't believe so.

11 Q. Mr. Adams, you don't have anything to
12 do with setting magistrate salaries, do you?
13 That's not within the scope of your authority?

14 A. But within the scope of my authority is
15 paying magistrate salaries.

16 Q. But not setting them, correct?

17 A. Correct.

18 Q. That's done by the legislature,
19 correct?

20 A. I think the council has some role in
21 it.

22 Q. You think council has a role in setting
23 magistrates' salaries?

24 A. Absolutely.

25 Q. Under what authority does council have

A W R

1 a role in setting salaries?

2 A. Is the council prohibited from paying
3 them more than required by the state?

4 Q. I'm asking you if they set salaries.

5 A. Yes, they do.

6 Q. So your position is that 4,500 --

7 A. They are involved in it.

8 Q. Let me finish my question. It's your
9 position that county council allocation of whatever
10 money they allocated was salary?

11 A. Not all of it, but council can be
12 involved in salary. They also can separately be
13 involved in something like a stipend.

14 Q. Okay. And you were aware that they had
15 made the decision in 1995 for the stipend for the
16 chief magistrate and, I believe, the language for
17 the assistant magistrate as set forth in our
18 Exhibit Number 1, correct?

19 A. I'm aware of the minutes and what they
20 say.

21 Q. When did you become aware of the
22 minutes and what they say?

23 A. I don't recall.

24 Q. Was it within the past year?

25 A. No.

Wayne Adams- Cross-Examination by Ms. Ballard

ROA 0159
157

1 Q. When did you figure out that the \$4,500
2 related to weeknight call and not weekend call?

3 A. There's no distinction in the minutes.

4 Q. That's how you read it?

5 A. Yes.

6 Q. Okay. And your legal training is what?

7 A. I've already answered that question,
8 haven't I?

9 Q. Answer it again.

10 A. I'm answering I don't have any, but I
11 can read.

12 Q. I'm sorry?

13 A. I can read.

14 Q. I got you.

15 What involvement did you have in your
16 position as county administrator in the orders of
17 the chief justice regarding bond court and the
18 availability of magistrates?

19 A. None.

20 Q. She didn't contact you about that at
21 all, did she?

22 A. She did not.

23 Q. She dealt with the chief judge about
24 that, didn't she?

25 A. I assume so.

1 Q. The orders that she issued didn't
2 affect you in any way, did they?

3 A. No.

4 Q. Mr. Adams, how is the annual budget
5 done?

6 A. The finance staff and I prepare it
7 beginning in usually late January, beginning with
8 revenues. As we are completing the revenues
9 portion of the picture we ask department heads to
10 submit their budgets for the expenditure side.

11 Q. The department heads?

12 A. Yes.

13 Q. Does that include the chief magistrate?

14 A. Yes.

15 Q. All right. So you would request input
16 from the chief magistrate for what purpose?

17 A. The budget.

18 Q. Would you look with me at my Exhibit
19 Number 11?

20 A. I don't have that book.

21 Q. Yes, you do.

22 MS. GANTT SORENSON: We only have one
23 copy, yeah, and I haven't been...

24 THE WITNESS: Okay.

25 BY MS. BALLARD:

1 Q. Do you recognize that?

2 A. Yes. It's the cover of the budget.

3 Q. Do you recognize the second page?

4 A. Yes.

5 Q. There's a line there -- the very first
6 line under the entry for Magistrate Jayroe is
7 personnel and it shows that council approved an
8 annual payment to him in the amount of \$19,489; is
9 that correct?

10 A. That would include all compensation,
11 yes.

12 Q. Council approved that, didn't they?

13 A. Yes.

14 Q. For the calendar year for -- excuse
15 me -- for the fiscal year 2014/2015?

16 A. Correct, they did.

17 Q. And there is no public vote in the
18 records of this county where the county council
19 changed that budget for Mr. Jayroe, is there?

20 A. I don't recall any.

21 Q. There's not one, is there?

22 A. I don't remember any.

23 Q. That's because you changed it, correct?

24 A. Changed his budget?

25 Q. You changed his salary.

Wayne Adams- Cross-Examination by Ms. Ballard

ROA 0162
160

1 A. Explain what you mean.

2 Q. Well, you know what a salary is,
3 Mr. Adams.

4 A. I do, but I don't have any legal
5 training.

6 Q. I think we've established that.
7 Let me point you to my Exhibit
8 Number 26. Would you take a look at that, please?

9 A. I will.

10 Q. What is that?

11 A. It's a personnel action request form.

12 Q. And that's where you changed
13 Mr. Jayroe's salary, correct?

14 A. Yes.

15 Q. Okay. And it's signed by you and Wanda
16 Hill and Debbie Cromer, correct?

17 A. It is.

18 Q. And it doesn't indicate there's been
19 any action by county council authorizing the
20 reduction of pay, does it?

21 A. No. None is required.

22 Q. And you didn't specify -- you didn't
23 break out from the salary line that used to be
24 19,960.93 to the new salary of \$15,460.93? You
25 didn't make any exception about a stipend or a



1 supplement, you said that was his salary, correct?

2 A. It must have been my lack of legal
3 training.

4 Q. That's what you said, isn't it?

5 A. What's the question again?

6 Q. Did you break out the supplement or the
7 stipend or anything else or did you say that was
8 his salary?

9 A. That was his compensation.

10 Q. Well, does it say compensation or does
11 it say salary?

12 A. It says personnel -- where are you
13 looking?

14 Q. I'm looking at the line that says
15 \$19,960.93 salary is changed to \$15,460.93 salary.

16 A. Yeah. The form doesn't have a category
17 for stipend. So...

18 Q. Okay. So you just sort of went with
19 the form --

20 A. Right.

21 Q. -- you didn't worry about it being
22 accurate?

23 A. It's accurate enough for our purposes.

24 Q. It's accurate enough?

25 A. For our purposes.

1 Q. For your purposes?

2 A. Pay purposes.

3 Q. Okay. Got it.

4 Now, before you eliminated the stipend,
5 Mr. Adams, did you consult with any of the
6 magistrates to try to find out what hours they had
7 actually worked on call?

8 A. No.

9 Q. Did you ask for any input from the
10 chief magistrate about what number of hours had
11 been assigned to the magistrates for on-call?

12 A. No.

13 Q. Did you look at the calendars that had
14 been promulgated in accordance with the chief
15 justice's -- let me finish my question -- in
16 accordance with the chief justice's order setting
17 what the call time was?

18 A. We were never provided any calendars.

19 Q. You never asked for the calendars, did
20 you? When you were trying to guestimate a
21 number -- let me finish the question.

22 When you were trying to guestimate a
23 number of possible on-call hours that a magistrate
24 might have been available, you never asked?

25 A. We didn't know the calendars existed.

1 Q. But you never asked, correct?

2 A. Yeah. Correct.

3 Q. Okay. It didn't occur to you that
4 there might actually be records out there that
5 might assist you in making some determination about
6 how many hours somebody had worked on call, did it?

7 A. I didn't know about any calendars.

8 Q. It didn't occur to you to ask the chief
9 magistrate who's responsible for scheduling the
10 magistrates whether documents exist that indicated
11 how long they worked on call?

12 A. We had never gotten any documents about
13 the work habits of the magistrates so why would we
14 assume there were some out there?

15 Q. I guess you wouldn't ask that.

16 Now, when the Abraham case was filed
17 there were two defendants, were there not?

18 A. I believe so, yeah.

19 Q. When Mr. Abraham filed suit he filed
20 suit against the county and against Mr. Jayroe; is
21 that correct?

22 A. Yes.

23 Q. And then Mr. Jayroe was released from
24 the suit; is that correct?

25 A. I believe so.

1 question about the Abraham lawsuit since she
2 brought up the testimony about the Abraham lawsuit.

3 MR. DUBBERLY: Well, how does that
4 square with you all's agreement? I mean, I don't
5 really buy the argument that this side kind of, I
6 guess, violated you all's agreement. I think there
7 was -- there might have been a few questions, and
8 now you've had a chance to ask a few questions.
9 Why can't we all just move on?

10 MS. BALLARD: Let me ask this last
11 question. Is that all right?

12 MR. DUBBERLY: Let me see what it is.

13 BY MS. BALLARD:

14 Q. You're aware that there's a lawsuit
15 pending challenging the factual stipulations as
16 being fraud on the Court, aren't you?

17 A. Yeah.

18 Q. Okay. And Ms. Gantt doesn't represent
19 you in that?

20 A. She does not.

21 Q. Okay. Mr. Adams, you still don't
22 understand the difference between the weeknight and
23 weekend call as Judge Jayroe has explained it, do
24 you?

25 A. I think it's a novel explanation.

1 Q. It's a novel explanation?

2 A. It's the first I've heard of it.

3 Q. I thought you read the petition for
4 redress?

5 A. Well, his assertions about it, whether
6 the petition for redress or here, are the first
7 that I've been made aware of it.

8 Q. So tonight is not first time you've
9 heard of that?

10 A. No.

11 Q. Mr. Adams, I know you're not a lawyer
12 and you don't have any legal training, but are you
13 familiar with the statutes regarding payment of
14 wages?

15 A. Somewhat.

16 Q. Are you aware that you're required when
17 there's a dispute over wages to pay the amount
18 without condition?

19 A. I'm generally aware of that, yes.

20 Q. So why didn't you pay that amount to
21 Mr. Jayroe in August of 2014 rather than requesting
22 a release?

23 A. This was not about wages. It was about
24 a potential disputed claim.

25 Q. And are you familiar with Section

1 41-10-60 which says in a dispute over wages the
2 employer shall pay the amount without condition
3 within the time set by this chapter? Are you aware
4 of that?

5 A. Generally.

6 Q. Okay. So you were aware that you
7 didn't have a right to request a release from him
8 as a condition of paying him money that you owed
9 him, did you?

10 MS. GANTT SORENSON: Objection. Calls
11 for legal conclusion. She's already established
12 he's not a lawyer.

13 MS. BALLARD: Can you read my question
14 back, please.

15 MR. DUBBERLY: I mean, you're asking
16 him to interpret a law that speaks for itself.

17 MS. BALLARD: He said he's generally
18 familiar with it.

19 MR. DUBBERLY: I think what he's saying
20 is he's generally familiar with the requirement
21 that you've got to pay people, but that's what
22 we're here for.

23 BY MS. BALLARD:

24 Q. Well, let me ask it this way. Don't go
25 back. I'll re-ask the question.

1 When you tendered the amount of money
2 that you tendered to Mr. Jayroe in August of 2014
3 on the condition that he sign a release you were
4 violating the Payment of Wages Act, weren't you?

5 MS. GANTT SORENSON: Objection. Calls
6 for a legal conclusion. She's already established
7 he's not lawyer.

8 MS. BALLARD: I want to know his
9 opinion.

10 THE WITNESS: I don't believe so.

11 BY MS. BALLARD:

12 Q. No? Okay.

13 What was the date of the executive
14 session that you had with county council in which
15 you asked permission to negotiate with the
16 magistrates about on-call pay?

17 A. I'll have to refer back to the -- I
18 don't remember exact dates, but it was something --
19 the memo -- the e-mail requesting that was dated
20 August 6th.

21 Q. The e-mail requesting what?

22 A. Executive session to discuss the
23 amount.

24 Q. That was an executive session of county
25 council?

Wayne Adams- Cross-Examination by Ms. Ballard

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1 A. It was, I believe, the public -- the
2 Courts and Public Safety Committee.

3 Q. Not county council?

4 A. I think they were all there, though.

5 Q. Was it an officially noticed meeting of
6 county council?

7 A. It was officially noticed.

8 Q. For the Public Safety and Courts
9 Commission or for county council?

10 A. I don't recall. At least for public --
11 at least for the committee.

12 Q. Okay. Now, in fact, assuming county
13 council gave you permission to do that, you in fact
14 did not negotiate with the magistrates, did you?
15 You simply sent them a check for the number that
16 you calculated and required a release of them as a
17 condition of making that payment?

18 A. With a closing line in the letter
19 asking them to contact me if they had any
20 questions.

21 Q. And you, in fact, didn't negotiate with
22 any of them, did you?

23 A. None contacted me.

24 Q. You didn't contact any of them other
25 than to say this is what I'm sending you, sign this



1 release, correct?

2 A. I don't believe so.

3 Q. You don't believe that's what the
4 letter said?

5 A. No. I don't believe I contacted any of
6 them and I don't believe any them contacted me.

7 MS. BALLARD: I have no further
8 questions.

9 MR. CHAIRMAN: All right. At this time
10 we're ready for --

11 MR. DUBBERLY: Hang on one second. She
12 might have some redirect.

13 MS. GANTT SORENSON: Nothing further.

14 MR. CHAIRMAN: All right. At this time
15 we will move to closing statements. Counsel for
16 Mr. Jayroe.

17 MS. BALLARD: Thank you, Mr. Chairman.
18 As we indicated in our opening, we are required by
19 the Magistrates Pay Act to bring our dispute
20 regarding wages before this body and we believe we
21 have introduced sufficient evidence to show that
22 the arbitrary actions of Mr. Adams in eliminating
23 the stipend and violating statute in reducing
24 Mr. Jayroe's salary during the period of his term
25 is a clear violation of the Payment of Wages --

12
ROA 0172

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Page 2

Item 6 - Sheriff's Department (Communications) requests line item transfer of funds.

Jerry Wright said he was not asking for any money, only a line item transfer. Under contracted personnel, \$3700 was appropriated and since January 1, five of eleven full time dispatchers have resigned. Other individuals have been brought in to replace them. This created a savings, budgeted salary minus dispatcher beginning salary divided by 12 equals monthly savings. Taking savings for each position for length of time not filled, plus savings until certified through NCIC gives actual savings of communications budget \$9,744. The average salary of dispatcher is \$15,825, \$7.60 hourly rate, overtime rate is \$11.41 plus 32% fringe (\$15.06). Part-time personnel are being paid \$4.25 with no benefits for a savings of \$10.81 by using part-time over full time overtime rate.

Mr. Wright requested \$9,744 be transferred from Communications #101 personnel account to Communications #102 account.

Mr. C. Dominick asked about letting the account run in the red and Mr. Wright said they would rather not run in the red. Mr. Summer asked how the part-time was working and Mr. Wright said they are working with two people who are at least full time, running three to a shift and third person kind of fills in, coming for training. They are not out there by themselves they are being monitored. Mr. Summer said he appreciated what they are doing to try to keep the overtime down.

Mr. C. Dominick made a motion to transfer funds from account 101 to account 102, Mr. Waldrop seconded and the motion passed 6 in favor and Mr. Gilliam abstaining.

Item 7 - Council to consider Second Reading amending Ordinance #153, Multi County Industrial Park.

Mr. Lominack said the ordinance was passed on January 3, 1995, this is being done especially for Louis Rich expansion project which will allow them to become part of the Multi-County Industrial Park. Fairfield is now going through first reading of their's. It is being amended because tentatively we had agreed the allocation for revenue for Newberry and Fairfield County would be 99/1% and Fairfield wants 95/5% which most counties are using.

With the Multi-County Industrial Park there will be creation of Governmental Advisory Board, Newberry/Fairfield Industrial Business Park Board which shall at all times consist of current Newberry County Administrator, Fairfield County Administrator, Executive Director of Newberry County Economic Development Board, Executive Director of Fairfield County Economic Development Board, two members of Newberry County Council, two members of Fairfield County Council.

Mr. D. Dominick made a motion to approve second reading amending Ordinance #153 as stated, Mr. Waldrop seconded and the motion passed unanimously.

Item 8 - Council to approve or disapprove night time magistrate.



ROA 0173

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Page 3

Mr. Lominack no decision was reach at last meeting. Since July 1, 1995 the magistrates have not called on the jail after they have left the complex. Jail Administrator Rushton indicates at this time has posed no problem. This does not mean all will be well in the future. Magistrate Koon indicated they call on the jail two times a day, normally during 8:30 A.A. and 5:00 P.M.

Mr. Gilliam said he asked Mr. Lominack to call Court Administrator and asked what did they say about not catching after 5 o'clock. Mr. Lominack said Mr. Levrette referred him to 22-240, "ministerial magistrates shall be available at nighttime and on weekends during such hours as may be designated by the Chief Magistrate."

Mr. Gilliam asked if he had any comments or concerns about not being there after five and Mr. Lominack said he indicated if that was not being practiced, 22-240 was not being adhered to.

Mr. C. Dominick asked if the pay is paid did this mean they were going to come in at a certain time or will they be there at night and Mr. Lominack said he talked with Mr. Leverette and he indicated he thought this was self explanatory. Mr. C. Dominick asked if this meant 24 hours a day and Mr. Gilliam said when he was magistrate it was explained to him you called to the jail and check to see if someone who had been placed in jail, who has a lawful right to arraignment shortly after being put in jail, needed attention.

Magistrate Koon said he contacted all the magistrates and asked what their feeling was about being on call during the week, interested or not interested, and bottom line was no, to three and one said no interested but would do his part.

Mr. D. Dominick said he has no problem with paying them if they are called at night and go out there but just to offer \$4500 because they are subject to callout, then everybody subject to callout should receive \$4500. Mr. D. Dominick asked how many salaried employees we have like this and Mr. Lominack said about six.

Mr. Summer said if you pay a flat fee you know what it is going to cost, if not you do not know what you will be paying. Mr. D. Dominick said he had no problem with it is you gave it to everybody subject to call out. Mr. C. Dominick said if they come ask for it.

Mr. Waldrop made a motion to split pay of \$4500.00 between Chief Magistrate and Assistant Magistrate, Mr. Livingston seconded and the motion passed 5-1 with Mr. D. Dominick voting against and Mr. Gilliam abstaining.

Mr. Caldwell asked who was over the magistrates, if they did not want to do something they did not do it and Magistrate Koon said the Chief Magistrate is over the magistrates and each magistrate answers to the Court Administration. S. C. Court Administration governs the magistrates.

Item 9 - Council to consider Courthouse Annex site.

Mr. Lominack said the location of Courthouse Annex had been discussed for sometime.

Mr. Lominack no decision was reach at last meeting. Since July 1, 1995 the magistrates have not called on the jail after they have left the complex. Jail Administrator Rushton indicates at this time has posed no problem. This does not mean all will be well in the future. Magistrate Koon indicated they call on the jail two times a day, normally during 8:30 A.A. and 5:00 P.M.

Mr. Gilliam said he asked Mr. Lominack to call Court Administrator and asked what did they say about not catching after 5 o'clock. Mr. Lominack said Mr. Leverette referred him to 22-240, "ministerial magistrates shall be available at nighttime and on weekends during such hours as may be designated by the Chief Magistrate."

Mr. Gilliam asked if he had any comments or concerns about not being there after five and Mr. Lominack said he indicated if that was not being practiced, 22-240 was not being adhered to.

Mr. C. Dominick asked if the pay is paid did this mean they were going to come in at a certain time or will they be there at night and Mr. Lominack said he talked with Mr. Leverette and he indicated he thought this was self explanatory. Mr. C. Dominick asked if this meant 24 hours a day and Mr. Gilliam said when he was magistrate it was explained to him you called to the jail and check to see if someone who had been placed in jail, who has a lawful right to arraignment shortly after being put in jail, needed attention.

Magistrate Koon said he contacted all the magistrates and asked what their feeling was about being on call during the week, interested or not interested, and bottom line was no, to three and one said no interested but would do his part.

Mr. D. Dominick said he has no problem with paying them if they are called at night and go out there but just to offer \$4500 because they are subject to callout, then everybody subject to callout should receive \$4500. Mr. D. Dominick asked how many salaried employees we have like this and Mr. Lominack said about six.

Mr. Summer said if you pay a flat fee you know what it is going to cost, if not you do not know what you will be paying. Mr. D. Dominick said he had no problem with it is you gave it to everybody subject to call out. Mr. C. Dominick said if they come ask for it.

Mr. Waldrop made a motion to split pay of \$4500.00 between Chief Magistrate and Assistant Magistrate, Mr. Livingston seconded and the motion passed 5-1 with Mr. D. Dominick voting against and Mr. Gilliam abstaining.

Mr. Caldwell asked who was over the magistrates, if they did not want to do something they did not do it and Magistrate Koon said the Chief Magistrate is over the magistrates and each magistrate answers to the Court Administration. S. C. Court Administration governs the magistrates.

Item 9 - Council to consider Courthouse Annex site.

Mr. Lominack said the location of Courthouse Annex had been discussed for sometime.

Item 6 - Sheriff's Department (Communications) requests line item transfer of funds.

Jerry Wright said he was not asking for any money, only a line item transfer. Under contracted personnel, \$3700 was appropriated and since January 1, five of eleven full time dispatchers have resigned. Other individuals have been brought in to replace them. This created a savings, budgeted salary minus dispatcher beginning salary divided by 12 equals monthly savings. Taking savings for each position for length of time not filled, plus savings until certified through NCIC gives actual savings of communications budget \$9,744. The average salary of dispatcher is \$15,825, \$7.60 hourly rate, overtime rate is \$11.41 plus 32% fringe (\$15.06). Part-time personnel are being paid \$4.25 with no benefits for a savings of \$10.81 by using part-time over full time overtime rate.

Mr. Wright requested \$9,744 be transferred from Communications #101 personnel account to Communications #102 account.

Mr. C. Dominick asked about letting the account run in the red and Mr. Wright said they would rather not run in the red. Mr. Summer asked how the part-time was working and Mr. Wright said they are working with two people who are at least full time, running three to a shift and third person kind of fills in, coming for training. They are not out there by themselves they are being monitored. Mr. Summer said he appreciated what they are doing to try to keep the overtime down.

Mr. C. Dominick made a motion to transfer funds from account 101 to account 102. Mr. Waldrop seconded and the motion passed 6 in favor and Mr. Gilliam abstaining.

Item 7 - Council to consider Second Reading amending Ordinance #153, Multi County Industrial Park.

Mr. Lominack said the ordinance was passed on January 3, 1995, this is being done especially for Louis Rich expansion project which will allow them to become part of the Multi-County Industrial Park. Fairfield is now going through first reading of their's. It is being amended because tentatively we had agreed the allocation for revenue for Newberry and Fairfield County would be 99/1% and Fairfield wants 95/5% which most counties are using.

With the Multi-County Industrial Park there will be creation of Governmental Advisory Board, Newberry/Fairfield Industrial Business Park Board which shall at all times consist of current Newberry County Administrator, Fairfield County Administrator, Executive Director of Newberry County Economic Development Board, Executive Director of Fairfield County Economic Development Board, two members of Newberry County Council, two members of Fairfield County Council.

Mr. D. Dominick made a motion to approve second reading amending Ordinance #153 as stated, Mr. Waldrop seconded and the motion passed unanimously.

Item 8 - Council to approve or disapprove night time magistrate.

ROA 0176

Barry S. Koon
Chief Magistrate, Newberry County

3239 Louis Rich Drive
 Newberry, SC 29108

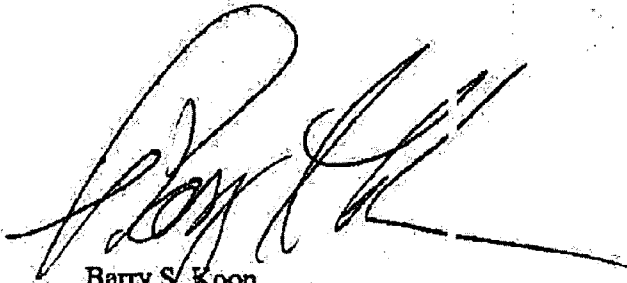
Tele - (803) 321-2144
 Fax - (803) 321-2147

May 8, 2001

It is hereby ordered this date of the following changes to the Newberry County Magistrate's duty roster/bail proceedings and on-call for May of 2001.(see attached schedule)

All magistrates shall adhere to the following changes.

Also, I will be unavailable for the next several days; therefore, Associate Chief Magistrate A. L. Jayroe Jr. shall act in my absence and perform such administrative duties that may be assigned.


 Barry S. Koon
 Chief Magistrate

CC. Judge Jayroe(faxed)
 Judge Rushton
 Judge English(faxed)

Jayroe 00008



MAY 2001

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
		1 RUSHTON	2 RUSHTON	3 RUSHTON	4 RUSHTON	5 RUSHTON
6 RUSHTON	7 KOON	8 KOON	9 RUSHTON	10 RUSHTON	11 RUSHTON	12 ENGLISH
13 RUSHTON <i>Mother's Day</i>	14 RUSHTON	15 RUSHTON	16 RUSHTON	17 RUSHTON	18 RUSHTON	19 ENGLISH
20 ENGLISH	21 RUSHTON	22 RUSHTON	23 RUSHTON	24 RUSHTON	25 RUSHTON	26 JAYROE
27 JAYROE	28 RUSHTON <i>Memorial Day</i>	29 RUSHTON	30 RUSHTON	31 RUSHTON		

IF A MAGISTRATE IS NEEDED AFTER OFFICE HOURS, WEEKENDS, & HOLIDAYS, PLEASE CONTACT THE MAGISTRATE WHO IS ON-CALL

JUDGE KOON
364-2769(H)

1-800-614-6353(PAGER)

JUDGE RUSHTON
276-5969(H)

304-4409(PAGER)

JUDGE JAYROE
945-7841(H)

945-7222(O)

JUDGE ENGLISH
694-3062(H)

694-4927(O)

MS. APRIL GELIAM, COURT ADMINISTRATOR
694-4429(H)

304-4415(PAGER)

NOTE1-)SCHEDULE ALL GENERAL SESSIONS CASES FOR MONDAY, JUNE 25, 2001 AT 9:00 A.M.

2-)SCHEDULE ALL FRAUDULENT CHECK CASES ISSUED BY JUDGE KOON & RUSHTON FOR WEDNESDAY, JUNE 27, 2001 AT 9:30 A.M.

3-)SCHEDULE ALL CRIMINAL ARREST WARRANTS WITHIN THE MAGISTRATE'S COURT JURISDICTION ISSUED BY JUDGE KOON & RUSHTON FOR EITHER WEDNESDAY, JUNE 6, 2001 AT 9:00 A.M. OR WEDNESDAY JUNE 20, 2001 AT 2 P.M.

4-)SCHEDULE CHANGES CAN ONLY BE MADE WITH THE APPROVAL OF CHIEF MAGISTRATE KOON. IF THERE IS A CONFLICT, PLEASE CONTACT ME AS SOON AS POSSIBLE.

5-)IF A MUNICIPAL JUDGE IS NOT AVAILABLE, IT IS THE MAGISTRATE'S DUTY WHO IS ON-CALL TO PERFORM THOSE DUTIES.

6-)ALL MAGISTRATES MUST ADHERE TO CHIEF JUSTICE TOAL'S ORDER IN REFERENCE TO BOND HEARINGS.

0002

ROA 0177

CENTRAL COURT

21/2

03/08/01 NEW 10:03 FAX

Jayroe 00009

NEWBERRY COUNTY MAGISTRATE'S DUTY ROSTER/BAIL PROCEEDINGS & ON-CALL

IF A MAGISTRATE IS NEEDED AFTER HOURS, WEEKENDS, & HOLIDAYS, PLEASE CONTACT THE MAGISTRATE WHO IS ON-CALL

Judge Jayroe - 945-7841 (H) 945-7222 (O) Judge Rushton - 276-5969 (H) 304-4409 (P) Judge English - 694-3064 (H) 694-4927 (O) April Gilliam-Court Amin. 694-4439 (H) 304-4415 (O)

June 2001

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
					1 RUSHTON	2 RUSHTON
3 RUSHTON	4 ENGLISH	5 ENGLISH	6 ENGLISH	7 ENGLISH	8 ENGLISH	9 ENGLISH
10 ENGLISH	11 RUSHTON	12 RUSHTON	13 RUSHTON	14 RUSHTON	15 RUSHTON	16 JAYROE
17 JAYROE	18 ENGLISH	19 ENGLISH	20 ENGLISH	21 ENGLISH	22 ENGLISH	23 RUSHTON
24 RUSHTON	25 RUSHTON	26 RUSHTON	27 RUSHTON	28 RUSHTON	29 RUSHTON	30 ENGLISH

NOTE

- 1) SCHEDULE ALL GENERAL SESSIONS CASES FOR MONDAY, JULY 30, 2001 AT 9:00 AM
- 2) SCHEDULE ALL FRAUDULENT CHECK CASES ISSUED BY JUDGE RUSHTON & JUDGE ENGLISH FOR WEDNESDAY JULY 25, 2001 AT 9:30 AM
- 3) SCHEDULE ALL CRIMINAL ARREST WARRANTS WITHIN THE MAGISTRATE'S COURT JURISDICTION ISSUED BY JUDGE RUSHTON AND JUDGE ENGLISH FOR EITHER WEDNESDAY, JULY 11, 2001 AT 9:00 AM OR WEDNESDAY, JULY 25, 2001 AT 2:00 PM
- 4) SCHEDULE CHANGES CAN ONLY BE MADE WITH THE APPROVAL OF ACTING CHIEF MAGISTRATE JAYROE. IF THERE IS A CONFLICT, PLEASE CONTACT ME AS SOON AS POSSIBLE
- 5) IF A MUNICIPAL JUDGE IS NOT AVAILABLE. IT IS THE MAGISTRATE'S DUTY WHO IS ON-CALL TO PERFORM THOSE DUTIES
- 6) ALL MAGISTRATES MUST ADHERE TO CHIEF JUSTICE TOAL'S ORDER IN REFERENCE TO BOND HEARINGS

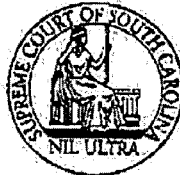
ROA 0178

Jayroe 00010

05/24/2001 13:48 RA3-321-2147

NEWBERRY COUNTY EOC

PAGE 01



ROA 0179

South Carolina Court Administration
South Carolina Supreme Court
Columbia, South Carolina

ROSALYN W. FRIERSON
DIRECTOR

MARY S. SCHROEDER
DEPUTY DIRECTOR

1015 SUMNER STREET, SUITE 200
COLUMBIA, SOUTH CAROLINA 29201

(803) 734-1800
FAX (803) 734-1821

May 15, 2001

Associate Chief Judge Arthur L. Jayroe
Newberry County Magistrate
P O Box 95
Little Mountain, South Carolina 29075-0095

Re: Judge Barry S. Koon

Dear Judge Jayroe:

Enclosed is a copy of my letter to Judge Barry S. Koon, regarding his status as Magistrate of Newberry County. I have requested that he turn over to you his official bank account and financial records, his arrest warrants and receipts, his civil, criminal and traffic dockets, the Acts and Joint Resolutions, the South Carolina Code, his Objections to Evidence notebook, South Carolina Bench Book For Magistrates and Municipal Judges and any other court records. Please issue a written receipt for the warrants and receipts, indicating the beginning and ending numbers contained in each book. A copy of the receipt should be forwarded to Jody Ferguson of this office. In addition, upon your acceptance of the warrants and receipts, please indicate on your written receipt whether these papers are being credited to your office or assigned to the judge appointed to replace Judge Koon.

Judge Jayroe, your assistance in this matter is greatly appreciated and if you have any problems or questions regarding this procedure, do not hesitate to contact me.

Sincerely,

Walter T. Leverette
Summary Courts Representative

WTL/amh
Enclosure

Jayroe 00012



The Supreme Court of South Carolina

ORDER

The judges of the magisterial and municipal courts, hereinafter referred to as "summary courts", of South Carolina being a part of the uniform statewide judicial system and pursuant to the provisions of Section 4, Article V, South Carolina Constitution,

IT IS ORDERED that the judges of the magisterial courts listed below be designated as Chief Judge or Associate Chief Judge for Administrative Purposes of the Summary Courts in the counties in which they hold office.

Judge G.T. Ferguson
Abbeville County

Judge A.B. Ayers
Berkeley County

Judge R. E. Edmonds
Aiken County

Judge R.H. Lake
Calhoun County

Judge C.S. Insley
Associate Chief Judge
Aiken County

Judge H.W. Guerard
Charleston County

Judge W.G. Griffin, Jr.
Allendale County

Judge J.B. Gosnell
Associate Chief Judge
Charleston County

Judge N.W. Devine
Anderson County

Judge R.B. Howell
Cherokee County

Judge F.D. Gibson
Bamberg County

Judge D.H. Moore
Chester County

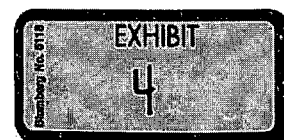
Judge A.W. Flynn
Barnwell County

Judge E.E. Burch
Chesterfield County

Judge R.A. Simmons
Beaufort County

Judge P.B. Harvin, Jr.
Clarendon County

Newberry County_000286



Judge W.E. Cobb
Associate Chief Judge
Colleton County

Judge G.B. Bennett
Hampton County

Judge C.A. Baker
Darlington County

Judge A.G. Solomons, Jr.
Associate Chief Judge
Hampton County

Judge C.D. Spivey
Dillon County

Judge G.T. Whitley
Horry County

Judge J.F. Rogers
Associate Chief Judge
Dillon County

Judge G.B. Blanton
Associate Chief Judge
Horry County

Judge V.G. Stephens
Dorchester County

Judge M.C. Rawl
Jasper County

Judge T.S. Richardson
Associate Chief Judge
Dorchester County

Judge R.E. Hartis
Kershaw County

Judge D.R. Parkman
Edgefield County

Judge T.E. Davis
Associate Chief Judge
Kershaw County

Judge B.B. Carpenter
Associate Chief Judge
Edgefield County

Judge J.M. Pope
Lancaster County

Judge W.F. Pope
Fairfield County

Judge P.D. Lyles
Laurens County

Judge E. Cooper
Florence County

Judge A.W. Woodham
Lee County

Judge I.L. Pyatt

Judge G.W. Reinhart

Newberry County_000287

Lexington County

ROA 0182

Judge H.L. Grimsley
Associate Chief Judge
Greenville County

Judge L.R. Cox
Marion County

Judge J.C. Cantrell
Greenwood County

Judge C.R. Hunter
Marlboro County

Judge B.S. McGuire
Associate Chief Judge
Greenwood County

Judge P.L. Smith
McCormick County

Judge A.L. Jayroe, Jr.
Associate Chief Judge
Newberry County

Judge M.E. English
Newberry County

Judge B.W. Gerrard
Oconee County

Judge E.H. Overcash
Associate Chief Judge
Spartanburg County

Judge W. Robinson, Jr.
Orangeburg County

Judge K.L. Ward
Sumter County

Judge D.F. Dalton
Pickens County

Judge J.D. Crocker
Union County

Judge W.H. Womble
Richland County

Judge A.P. Whitney
Associate Chief Judge
Union County

Judge S. Peay
Associate Chief Judge
Richland County

Judge C.P. Williams
Williamsburg County

Judge D.B. Horne
Saluda County

Judge B.H. Ervin
York County

Judge J.L. Cash

Judge R. Davenport, Jr.

Newberry County_000288

ROA 0183

1. Coordinate with the Office of South Carolina Court Administration on all matters pertaining to summary court judges in the county.
2. Coordinate the activities of the summary court judges of the county with other affected persons and/or agencies to insure cooperation and effective judicial service.
3. Establish with the other magistrates of the county, a schedule so arranged that a magistrate will be available, in person or on call, in the county to issue warrants and conduct bail proceedings. The bail proceedings schedule shall be in compliance with the provisions of the Order of the Chief Justice dated November 28, 2000,¹ outlining certain bond procedures in those courts. The Chief Judge shall also inform the municipal courts of the details of the county magisterial court schedule, to insure the availability of a magistrate to issue warrants and conduct bail proceedings for the municipal courts when the municipal judge is unavailable. After hours and weekends does not constitute unavailability in and of itself.

Establish a procedure with all municipal courts within the county whereby they provide the Chief Judge with a monthly bond schedule indicating their availability for bond court. Monitor all summary court judges within the county to insure compliance with the above referenced Order dated November 28, 2000. The monitoring shall include, but shall not be limited to, insuring that bond hearings are being conducted twice daily, insuring that defendants' and victims' constitutional and statutory rights are being upheld, insuring that cash bonds only and excessive bonds are not being required, and insuring that no irregular practices as outlined in the above referenced Order are occurring.

4. Establish within the county a procedure to ensure that Certificates of Transmittal are completed and the appropriate documents (warrants or other charging papers, checklists, bond forms, and checks for cash bonds received) are attached and transmitted within fifteen (15) days to the appropriate magistrate, municipal judge or Clerk of Court of General Sessions having jurisdiction over the case.

5. Call a meeting at least on a quarterly basis of all summary court judges in the county to formulate procedures which establish uniformity of procedures in the county summary court system. A minimum of one municipal judge from each municipality within the county shall be required to attend these meetings.

6. Coordinate the planning of budgets for the magistrates in the county, and appear before the county governing body with the magistrates of the county to present and justify the budget requests.

7. Attend schools and meetings for Chief Judges called to implement policies and procedures under this and other Orders.

8. Set terms of court, both civil and criminal, when terms are necessary for the disposition of any cases within the jurisdiction of the magisterial court.

9. Provide for the orderly assignments of any case within the jurisdiction of the magisterial court to any magistrate of the county, regardless of whether the case is transferred from circuit court or originally filed in the magisterial court.

10. Designate the hours of operation of each magistrate's court office in the county, and designate the hours during which each magistrate shall be present in the office, based upon the number of hours fixed for each magistrate by the county governing body.

11. Collect from the other magistrates in the county on a quarterly basis and review information concerning the age of pending civil and criminal cases to insure that all civil cases are disposed of within ninety days of filing and that criminal cases are disposed of within sixty days of arrest.

12. When any summary court judge in the county dies, retires, is suspended, goes out of office, becomes incapacitated, is unable to perform the duties of their office, and when a successor has not been nominated

tickets, NRVC's, and other court records.

ROA 0184

13. Insure that the Office of Court Administration is provided written notification of the appointment, retirement, resignation, suspension or death of any summary court judge, whether municipal or magistrate, within the county.

14. Appoint, coordinate, and assign constables throughout the County, in those Counties that utilize constables, so as to insure cooperation and effective judicial service.

15. Establish within the county a procedure with all summary court judges and appropriate public officials to ensure that court generated revenues are collected, distributed, and reported in an appropriate and timely manner.

16. Report to the Office of Court Administration any significant or repetitive non-compliance by any summary court judge in the county concerning the Chief Judge's execution of the provisions of this Order.

No order issued by the Chief Judge under the authority of this Order shall be effective unless the order is filed with the Office of South Carolina Court Administration and approved for consistency with statewide administrative policies.

Associate Chief Judges appointed in this Order shall act in the absence or disability of the Chief Judge. They shall also perform administrative duties that are assigned to them by the Chief Judges.

The authority conferred on the Chief Judges and Associate Chief Judges for Administrative Purposes of the Summary Courts by this Order shall become effective on January 1, 2005 and shall continue through July 31, 2005 unless changed or revoked by Order of the Chief Justice.

s/Jean Hoefer Toal

Jean Hoefer Toal, Chief Justice

December 16, 2004
Columbia, South Carolina

1 This Order is found in the "Orders" section of the BenchBook.

Newberry County_000290

ROA 0185

The Supreme Court of South Carolina

ORDER

The judges of the magisterial and municipal courts, hereinafter referred to as "summary courts", of South Carolina being a part of the uniform statewide judicial system and pursuant to the provisions of Section 4, Article V, South Carolina Constitution,

IT IS ORDERED that the judges of the magisterial courts listed below be designated as Chief Judge or Associate Chief Judge for Administrative Purposes of the Summary Courts in the counties in which they hold office.

Judge G.T. Ferguson
Abbeville County

Judge A.B. Ayers
Berkeley County

Judge R. E. Edmonds
Aiken County

Judge R.H. Lake
Calhoun County

Judge C.S. Insley
Associate Chief Judge
Aiken County

Judge H.W. Guerard
Charleston County

Judge C.M. Love
Allendale County

Judge J.B. Gosnell
Associate Chief Judge
Charleston County

Judge N.W. Devine
Anderson County

Judge R.B. Howell
Cherokee County

Judge F.D. Gibson
Bamberg County

Judge D.H. Moore
Chester County

Judge A.W. Flynn
Barnwell County

Judge E.E. Burch
Chesterfield County

Newberry County_000291



ROA 0186

Judge D.R. Smith
Associate Chief Judge
Beaufort County

Judge R.B. Wood
Colleton County

Judge W.E. Cobb
Associate Chief Judge
Colleton County

Judge G.B. Bennett
Hampton County

Judge C.A. Baker
Darlington County

Judge A.G. Solomons, Jr.
Associate Chief Judge
Hampton County

Judge J.F. Rogers
Dillon County

Judge G.T. Whitley
Horry County

Judge C.D. Spivey
Associate Chief Judge
Dillon County

Judge G.B. Blanton
Associate Chief Judge
Horry County

Judge V.G. Stephens
Dorchester County

Judge R.A. Simmons
Jasper County

Judge T.S. Richardson
Associate Chief Judge
Dorchester County

Judge R.E. Hartis
Kershaw County

Judge D.R. Parkman
Edgefield County

Judge T.E. Davis
Associate Chief Judge
Kershaw County

Judge B.B. Carpenter
Associate Chief Judge
Edgefield County

Judge J.M. Pope
Lancaster County

Judge W.F. Pope
Fairfield County

Judge P.D. Lyles
Laurens County

Judge E. Cooper
Florence County

Judge A.W. Woodham
Lee County

Newberry County_000292

Judge H.L. Grimsley
Associate Chief Judge
Greenville County

Judge L.R. Cox
Marion County

Judge J.C. Cantrell
Greenwood County

Judge C.R. Hunter
Marlboro County

Judge B.S. McGuire
Associate Chief Judge
Greenwood County

Judge P.L. Smith
McCormick County

Judge B.W. Gerrard
Oconee County

Judge A.L. Jayroe, Jr.
Newberry County

Judge W. Robinson, Jr.
Orangeburg County

Judge D.J. Turner
Associate Chief Judge
Spartanburg County

Judge D.F. Dalton
Pickens County

Judge K.L. Ward
Sumter County

Judge W.H. Womble
Richland County

Judge J.D. Crocker
Union County

Judge S. Peay
Associate Chief Judge
Richland County

Judge A.P. Whitney
Associate Chief Judge
Union County

Judge D.B. Horne
Saluda County

Judge C.P. Williams
Williamsburg County

Judge R.B. Hall
Spartanburg County

Judge L.H. Benfield
York County

Judge R. Davenport, Jr.
Associate Chief Judge
York County

A Chief Judges' authority shall include, but not be limited to, the following:

1. Coordinate with the Office of South Carolina Court Administration on all matters pertaining to summary court judges in the county.

2. Coordinate the activities of the summary court judges of the county with other affected persons and/or agencies to insure cooperation and effective judicial service.

3. Establish with the other magistrates of the county, a schedule so arranged that a magistrate will be available, in person or on call, in the county to issue warrants and conduct bail proceedings. The bail proceedings schedule shall be in compliance with the provisions of the Order of the Chief Justice dated

is unavailable. After hours and weekends does not constitute unavailability in and of itself. Establish a procedure with all municipal courts within the county whereby they provide the Chief Judge with a monthly bond schedule indicating their availability for bond court. Monitor all summary court judges within the county to insure compliance with the above referenced Order dated November 28, 2000. The monitoring shall include, but shall not be limited to, insuring that bond hearings are being conducted twice daily, insuring that defendants' and victims' constitutional and statutory rights are being upheld, insuring that cash bonds only and excessive bonds are not being required, and insuring that no irregular practices as outlined in the above referenced Order are occurring.

4. Establish within the county a procedure to ensure that Certificates of Transmittal are completed and the appropriate documents (warrants or other charging papers, checklists, bond forms, and checks for cash bonds received) are attached and transmitted within fifteen (15) days to the appropriate magistrate, municipal judge or Clerk of Court of General Sessions having jurisdiction over the case.

5. Call a meeting at least on a quarterly basis of all summary court judges in the county to formulate procedures which establish uniformity of procedures in the county summary court system. A minimum of one municipal judge from each municipality within the county shall be required to attend these meetings.

6. Coordinate the planning of budgets for the magistrates in the county, and appear before the county governing body with the magistrates of the county to present and justify the budget requests.

7. Attend schools and meetings for Chief Judges called to implement policies and procedures under this and other Orders.

8. Set terms of court, both civil and criminal, when terms are necessary for the disposition of any cases within the jurisdiction of the magisterial court.

9. Provide for the orderly assignments of any case within the jurisdiction of the magisterial court to any magistrate of the county, regardless of whether the case is transferred from circuit court or originally filed in the magisterial court.

10. Designate the hours of operation of each magistrate's court office in the county, and designate the hours during which each magistrate shall be present in the office, based upon the number of hours fixed for each magistrate by the county governing body.

11. Collect from the other magistrates in the county on a quarterly basis and review information concerning the age of pending civil and criminal cases to insure that all civil cases are disposed of within ninety days of filing and that criminal cases are disposed of within sixty days of arrest.

12. When any summary court judge in the county dies, retires, is suspended, goes out of office, becomes incapacitated, is unable to perform the duties of their office, and when a successor has not been nominated or qualified, the Chief Magistrate shall immediately take custody, or provide for the orderly transfer, of all records, to include past and present, civil and criminal docket books, warrant books, receipt books, financial records including official checking account statements and stubs, bank accounts and any funds contained therein, Acts and Joint Resolutions, the Code of Laws, Bench Books, pending and disposed warrants, tickets, NRVC's, and other court records.

13. Insure that the Office of Court Administration is provided written notification of the appointment, retirement, resignation, suspension or death of any summary court judge, whether municipal or magistrate, within the county.

14. Appoint, coordinate, and assign constables throughout the County, in those Counties that utilize constables, so as to insure cooperation and effective judicial service.

Newberry County_000294

16. Report to the Office of Court Administration any significant or repetitive non-compliance by any summary court judge in the county concerning the Chief Judge's execution of the provisions of this Order.

No order issued by the Chief Judge under the authority of this Order shall be effective unless the order is filed with the Office of South Carolina Court Administration and approved for consistency with statewide administrative policies.

Associate Chief Judges appointed in this Order shall act in the absence or disability of the Chief Judge. They shall also perform administrative duties that are assigned to them by the Chief Judges.

The authority conferred on the Chief Judges and Associate Chief Judges for Administrative Purposes of the Summary Courts by this Order shall become effective on July 1, 2005 and shall continue through December 31, 2005 unless changed or revoked by Order of the Chief Justice.

s/Jean Hoefer Toal
Jean Hoefer Toal, Chief Justice

June 17, 2005
Columbia, South Carolina

1This Order is found in the "Orders" section of the BenchBook.

07/08/2005 FRI 14:18 FAX 803 345-7222 Jayroe CPA

ROA 0190

001/001

ARTHUR L. JAYROE
NEWBERRY COUNTY MAGISTRATE
POST OFFICE BOX 95
LITTLE MOUNTAIN SC 29075
TELEPHONE: (803) 345-1040 FACSIMILE: (803) 945-7222

DATE: 7-8-05

TO: Newberry County Administrator's Office

ATTN: Ms. Debbie Crum

FROM: A. L. Jayroe

RECIPIENTS FAX #: 803 321 2102

PAGE 1 OF 1

COMMENTS:

Dear Debbie:
Effective July 1, 2005 I will be receiving
the evening on call stipend paid by the
County to the Evening on Call Magistrate.
Judge English will continue to receive one-
half of the stipend while I will receive
the other half. Should you have questions,
please advise.

Very truly yours,

A. L. Jayroe
Ch. of Magistrate - Newberry County, SC

The information contained in this facsimile message is privileged and confidential
information intended for use of the addressees listed and no one else. If you are not the
intended recipient of the employee or agent responsible to deliver this message to the
intended recipient, please do not use this transmission in any way but contact the sender
by telephone.



Debbie Cromer

ROA 0191

From: "Art Jayroe" <ajlcpa@sc.rr.com>
To: <dcromer@newberrycounty.net>
Sent: Tuesday, December 27, 2005 4:06 PM
Subject: on call magistrates's stipend

Debbie,

Currently, Judge English and I are splitting the night on call magistrate stipend. I believe that this is \$ 4,500.00 per year. Judge English's resignation is effective as of December 31, 2005. Please increase my magistrate salary by the other half of the stipend effective January 1, 2006. Thanks for your help and assistance.

Wishing you a pleasant New Year.

Best wishes,

Art

10,887.50
1,500.00
2,250.00
14,637.50
2,250.00
14,887.50



1/3/2006

Debbie Cromer

From: Arthur Jayroe [AJayroe@JayroeCPA.com]
Sent: Friday, January 15, 2010 9:32 AM
To: dcromer@newberrycounty.net
Subject: FW: Case Mgt System Training - part time magistrates

FYI. Thanks, Art

From: Wayne Adams [mailto:wadams@newberrycounty.net]
Sent: Wednesday, January 06, 2010 8:36 AM
To: Arthur Jayroe
Cc: 'Debbie Cromer'
Subject: RE: Case Mgt System Training - part time magistrates

Jayroe 12.1392
 Johnson 8.7680
 Lail 7.3950

Judge,

I am copying your email to Debbie, so that she can check the relevant line items. She can best advise us from there.

Best,

March 3 - partial 8:30-12
 March 5 8:30-12

Wayne

From: Arthur Jayroe [mailto:AJayroe@JayroeCPA.com]
Sent: Tuesday, January 05, 2010 6:28 PM
To: wadams@newberrycounty.net
Subject: Case Mgt System Training - part time magistrates

Hi Wayne,

I wanted to touch base with you regarding the training currently being conducted for court employees in the County. The part-time magistrates are having to attend these classes for 3.5 hours per day. The training will last for approximately 5 weeks. I estimate that this will equate to approximately \$ 1,925.00 of gross training compensation for each of the 3 part-time magistrates before social security and retirement benefits. I believe that most of this cost could probably come from from account 01022 in my budget (dept 05750). I was also anticipating that the balance might become available from the general fund. Please call or e-mail if you have questions.

Thanks,

Deft 000100

Art Jayroe

These are additional how that should be charge
 to 010-010-05750-01022

For Wayne & Art Jayroe

over

This is for 5 wks only,



Wks Paid	Byrd Jayroe	Johnson	Lail
1-2 / 1-6	17.5	17.5	22.5
> 1-22-10			
1-9 / 1-12	14	14	18
1-19 / 1-22	2-5-10 14		18
1-19 - 22	2-19-10 paid 2-19	14	
2-1 - 2-12	28	28	
paid 2-19			
2-1 - 2-12	paid 2-5		36
2-16 - 2-19	18		
2-17 - 2-24		4	
2-25			3

Debbie Cromer

ROA 0194

From: Arthur Jayroe [A.Jayroe@JayroeCPA.com]
Sent: Wednesday, August 01, 2012 3:26 PM
To: ronniecromer@bellsouth.net
Cc: whill@newberrycounty.net; dcromer@newberrycounty.net
Subject: FW: Compensation - Whitmire Magistrate

Dear Senator:

If you concur, would you please forward your approval to Wanda Hill.

Thanks,

Art Jayroe

From: Debbie Cromer [mailto:dcromer@newberrycounty.net]
Sent: Tuesday, July 31, 2012 2:49 PM
To: Arthur Jayroe
Subject: RE: Compensation - Whitmire Magistrate

Art, we will need something from Senator Cromer. Wanda will be the one that you should talk too about this. Deb

From: Arthur Jayroe [mailto:A.Jayroe@JayroeCPA.com]
Sent: Wednesday, August 01, 2012 1:39 PM
To: dcromer@newberrycounty.net
Cc: ronniecromer@bellsouth.net; whill@newberrycounty.net
Subject: Compensation - Whitmire Magistrate

Dear Debbie,

Please start my compensation for the Whitmire Magistrate. The compensation should be based on 8 hours per week or 16 hours each pay period. If possible please start this effective 07/01/2012. Should you have questions regarding deferred plans, retirement, etc., please call.

Thank you,

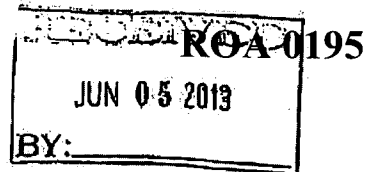
Art Jayroe

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IRS CIRCULAR 230 NOTICE: Internal Revenue Service regulations generally provide that, for the purpose of avoiding federal tax penalties, a taxpayer may rely only on formal written advice meeting specific requirements. Any tax advice in this message, or in any attachment to this message, does not meet those requirements. Accordingly, any such tax advice was not intended or written to be used, and it cannot be used, for the purpose of avoiding federal tax penalties that may be imposed on you or for the purpose of promoting, marketing or recommending to another party any tax-related matters.



ARTHUR L. JAYROE
NEWBERRY COUNTY MAGISTRATE
POST OFFICE BOX 95, 824 MAIN STREET
LITTLE MOUNTAIN, SOUTH CAROLINA 29075



June 3, 2013

VIA E-MAIL

Mr. Wayne Adams

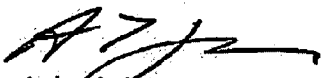
Newberry County Administrator
College Street
Newberry, South Carolina 29108

Dear Mr. Adams:

Last week I was informed by Senator Cromer and South Carolina Court Administration that Barry S. Koon had been appointed and confirmed as a Newberry County Magistrate. Commencing with the June 1, 2013 payroll period Judge Koon will be assigned to the Whitmire, South Carolina magistrate's office. Judge Koon should be compensated for 10 hours each week at the rate as set forth by the State of South Carolina for Magistrates.

Additionally, my compensation for the Whitmire magistrate's office should cease after I am paid for services rendered through the end of May 31, 2013.

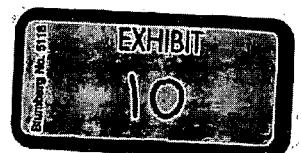
Very truly yours,



Arthur L. Jayroe

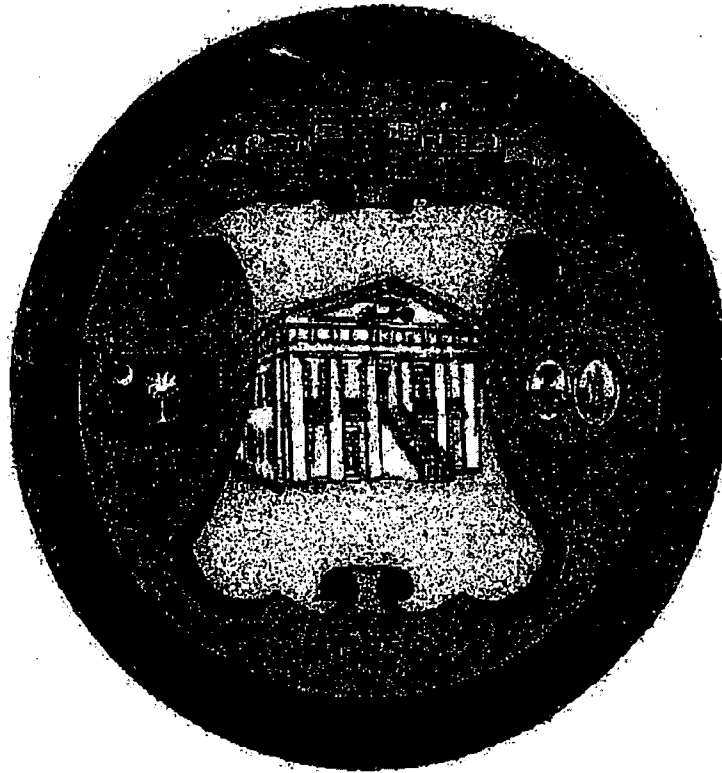
Chief Magistrate, Newberry County, SC

Cc: Ms. Wanda Hill
Ms. Debbie Cromer
Senator Cromer
Judge Barry Koon



ROA 0196

NEWBERRY, SOUTH CAROLINA
ANNUAL BUDGET



FY 2014-2015



APPROVED BUDGET
FY 2014-2015

ROA 0197

010 GENERAL FUND
005 EXPENSES
05750 MAGISTRATE JAYROE

010-005-05750-01010	PERSONNEL	\$	19,489.00
010-005-05750-01110	SOCIAL SECURITY		1,491.00
010-005-05750-01120	RETIREMENT		2,613.00
010-005-05750-01130	INSURANCE		10,678.00
010-005-05750-01200	WORKMENS COMPENSATION		694.00
010-005-05750-02240	MEMBERSHIPS & DUES		100.00
010-005-05750-02250	OFFICE EXPENSE		1,805.00
010-005-05750-02260	POSTAGE		150.00
010-005-05750-02290	RENT		300.00
010-005-05750-02360	TELEPHONE		500.00
010-005-05750-02370	TRAINING		250.00
010-005-05750-02380	TRAVEL		850.00
TOTAL MAGISTRATE JAYROE		\$	38,920.00

**APPROVED BUDGET
FY 2014-2015**

ROA 0198

010	GENERAL FUND		
005	EXPENSES		
05700	CENTRAL COURT		
010-005-05700-01010	PERSONNEL	\$	213,100.00
010-005-05700-01040	JURY FEES		25,000.00
010-005-05700-01110	SOCIAL SECURITY		16,302.00
010-005-05700-01120	RETIREMENT		25,632.00
010-005-05700-01130	INSURANCE		50,922.00
010-005-05700-01200	WORKMENS COMPENSATION		856.00
010-005-05700-02050	CONTRACTED MAINTENANCE		22,500.00
010-005-05700-02070	CONSULTING & TECH FEES		2,200.00
010-005-05700-02240	MEMBERSHIPS & DUES		350.00
010-005-05700-02250	OFFICE EXPENSE		9,250.00
010-005-05700-02260	POSTAGE		12,000.00
010-005-05700-02270	PRINTING		500.00
010-005-05700-02360	TELEPHONE		2,500.00
010-005-05700-02370	TRAINING		1,250.00
010-005-05700-02380	TRAVEL		1,275.00
010-005-05700-02390	SUBSISTENCE		4,912.00
TOTAL CENTRAL COURT		\$	388,549.00

**APPROVED BUDGET
FY 2014-2015**

ROA 0199

**010 GENERAL FUND
005 EXPENSES
05710 MAGISTRATE KOON**

010-005-05710-01010	PERSONNEL	\$	11,744.00
010-005-05710-01110	SOCIAL SECURITY		898.00
010-005-05710-01120	RETIREMENT		1,575.00
010-005-05710-01130	INSURANCE		5,416.00
010-005-05710-01200	WORKMENS COMPENSATION		418.00
010-005-05710-02250	OFFICE EXPENSE		418.00
010-005-05710-02270	PRINTING		190.00
010-005-05710-02360	TELEPHONE		1,500.00
010-005-05710-02370	TRAINING		700.00
010-005-05710-02380	TRAVEL		600.00
TOTAL MAGISTRATE KOON		\$	23,369.00

**APPROVED BUDGET
FY 2014-2015**

ROA 0200

**010 GENERAL FUND
005 EXPENSES
05730 MAGISTRATE LAIL**

010-005-05730-01010	PERSONNEL	\$	12,051.00
010-005-05730-01110	SOCIAL SECURITY		922.00
010-005-05730-01120	RETIREMENT		1,616.00
010-005-05730-01130	INSURANCE		11,306.00
010-005-05730-01200	WORKMENS COMPENSATION		429.00
010-005-05730-02240	MEMBERSHIPS & DUES		100.00
010-005-05730-02250	OFFICE EXPENSE		650.00
010-005-05730-02260	POSTAGE		300.00
010-005-05730-02360	TELEPHONE		1,000.00
010-005-05730-02370	TRAINING		2,000.00
010-005-05730-02380	TRAVEL		1,500.00
TOTAL MAGISTRATE LAIL		\$	31,874.00

From: Wayne Adams wadams@newberrycounty.net
Subject: back pay consideration and future reporting of work hours

ROA 0201

Date: August 26, 2014 at 12:11 PM

To: ejayroe@jayroe CPA.com

Cc: Jay Tothacer jtothacer@newberrycounty.net, Buddy Livingston blivingston@newberry.k12.sc.us, Kirksey Koon kirkseykoon@yahoo.com, Les Hipp hippcouncil@bellsouth.net, Les Hipp lchipp@bellsouth.net, Scott Cain scain@newberrycounty.net, Steve Stockman stevestockman@att.net, Bill Waldrop dbwaldrop20@gmail.com, John Caldwell johnpatcaldwell@att.net, Laurie Renwick lrenwick@newberrycounty.net, Debbie Cromer dcromer@newberrycounty.net, Dirk Aydllette daydllette@gsblaw.net



Judge Jayroe On-Call Judge Jayroe:
Pay

Please find attached my letter concerning back pay consideration for part-time magistrates as well as future reporting requirements for hours worked.

Should you have any questions, don't hesitate to contact me or Jay.

Best,

Wayne Adams, Newberry County Administrator





COUNTY OF NEWBERRY

OFFICE OF THE COUNTY COUNCIL
POST OFFICE BOX 156
NEWBERRY, SOUTH CAROLINA 29108

(803)321-2100
FAX: (803)321-2102

COUNCILMEN:
HENRY H. LIVINGSTON, III, CHAIRMAN
KIRKSEY KOON, VICE-CHAIRMAN
JOHN B. CALDWELL
WILLIAM D. WALDROP
LESLIE HIPPIE
STEVE STOCKMAN
SCOTT CAIN

WAYNE ADAMS
COUNTY ADMINISTRATOR
A. J. TOTHACER, JR.
COUNTY ATTORNEY
LAURIE N. RENWICK
CLERK TO COUNCIL

August 28, 2014

The Honorable Arthur L. Jayroe, Jr.
P.O. Box 95
Little Mountain, SC 29075

Sent by Email and US Mail

Dear Judge Jayroe:

The County recently determined that it might not have been fully compliant with the South Carolina Magistrate's Pay Act. Under the Act, part-time magistrates are entitled to call pay for hours worked over their set weekly hours. Unfortunately, no part-time magistrate has ever submitted an itemized request for call time payment or a time sheet showing any call hours worked. While it would be difficult, if not impossible, to determine with absolute accuracy what your total excess call hours are, the County has attempted to make a reasonable and fair determination based on your time in office and the County's understanding of the rotating call schedule over the last three years.

Based on our calculations, we intend to make a gross payment to you of \$2,608.50, subject to the usual wage withholdings. The County will also make its Social Security and State Retirement System contributions. Because the amount owed is uncertain and speculative, the County will require a signed release from you prior to payment. If you agree to accept the above amount, please sign the enclosed release and return it to the County Administrator's office. Once we have received your signed release, a payroll check will be issued to you.

Importantly, if you have received any other form of compensation for call time over the past three years, the amount referenced in the above paragraph reflects a corresponding prior

reduction. Moreover, as of the date of this memorandum, the County is discontinuing any such payments.

Going forward, part-time magistrates must report all on-call hours worked using the attached form. Completed forms must be submitted to the County's Director of Human Resources no later than noon Monday of each week following any call duty work pertaining to the prior week. Failure to properly record your hours could result in a delay or waiver of payment.

Should you wish to discuss this matter in more detail, please contact Jay Tothacer, Newberry County Attorney at 321-1415

Sincerely,



Wayne Adams
County Administrator

cc: County Council

STATE OF SOUTH CAROLINA)
)
 NEWBERRY COUNTY)

GENERAL RELEASE

Arthur L. Jayroe, Jr. ("Mr. Jayroe") and Newberry County ("the County"), hereby agree as follows:

1. For and in consideration of the gross payment of wages to Mr. Jayroe in the amount of Two Thousand and Six Hundred and Eight and 50/100 Dollars (\$2,608.50), the net amount of which is One Thousand and Nine Hundred and Eighty-one and 63/100 Dollars (\$1,981.63), the undersigned Mr. Jayroe for himself, his heirs, executors, administrators, and assigns, intends to and does hereby release, acquit, forever discharge, and covenant not to sue the County, its present and past officials, employees, agents, and attorneys, from and/or with regard to any and all causes of action, claims, demands, costs, interest, attorney's fees, and all claims of any nature and kind whatsoever, known or unknown, from the beginning of time until the date hereof which Mr. Jayroe has or in the future may be entitled to have against the County, on account of or in any way arising out of or in connection with Mr. Jayroe's appointment and service as a Newberry County Magistrate. Mr. Jayroe agrees, as a further consideration and inducement for this Settlement Agreement and Release in Full (hereinafter "Release"), that it shall apply to unknown and unanticipated damages resulting from or in any way connected to his appointment and service as a Newberry County Magistrate to the date hereof as well as to those now disclosed.

2. This agreement is the compromise of doubtful and disputed claims and this Release is not to be construed as an admission of liability on the part of the County. The County expressly denies liability of any nature or kind whatsoever to Mr. Jayroe. Mr. Jayroe agrees that he will not assert or imply that the County has admitted any liability to him as a result of this agreement/and or payment made to him.

3. Mr. Jayroe hereby acknowledges that he has read and fully understands this Release, agrees that it incorporates all oral understandings and negotiations between him and the County, and that it is the entire agreement between them.

IN WITNESS WHEREOF, Mr. Jayroe has set his hand and seal below.

 Arthur L. Jayroe, Jr.

Date: _____

PART-TIME MAGISTRATE WEEKLY TIME REPORT

NOTE: ALL CALL DUTY HOURS WORKED MUST BE RECORDED WEEKLY AND ALL HOURS RECORDED MUST HAVE BEEN WORKED. FAILURE TO REPORT ANY ERRORS IN YOUR WORK HOURS REPORTED OR PAID WITHIN 14 CALENDAR DAYS OF RECEIVING YOUR PAYCHECK MAY RESULT IN FORFEITURE OF ANY ADDITIONAL PAY THAT MAY BE DUE.

Name: _____

For the calendar week of _____ through _____, 20 _____

Sun ____ / ____ Hours worked: _____

Mon ____ / ____ Hours worked: _____

Tue ____ / ____ Hours worked: _____

Wed ____ / ____ Hours worked: _____

Thur ____ / ____ Hours worked: _____

Fri ____ / ____ Hours worked: _____

Sat ____ / ____ Hours worked: _____

TOTAL HOURS WORKED: _____

Signature: _____ Date: _____

ROA 0206

3/5/2015

Part-Time Magistrates

On-Call Compensation (3 years)

Name	Date of Hire	Current Pay (bi-weekly)	Current Pay (annual)	Sched. Hours (bi-weekly)	Hourly Rate	Hours to be Compensated	On Call Compensation	Adjustment for Previous Compensation *	Gross Pay for On-Call (3 years)
Rick Lail	4/22/2002	479.72	12,472.72	16	29.98	600	17,989.50		17,989.50
Barry Koon	6/1/2013	467.52	12,155.52	20	23.38	220	5,142.72		5,142.72
Art Jayroe	8/1/1995	536.95	13,960.70	20	26.85	600	16,108.50	(13,500.00)	2,608.50
TOTAL							39,240.72		25,740.72

* On-call supplement paid
by County Council

Name	Total from Above	Retirement Contribution (County) 13.41%	Social Security Contribution (County) 7.65%	Total Cost to County
Rick Lail	17,989.50	2,412.39	1,376.20	21,778.09
Barry Koon	5,142.72	689.64	393.42	6,225.78
Art Jayroe	2,608.50	349.80	199.55	3,157.85
Totals	25,740.72	3,451.83	1,969.17	31,161.72

Arthur Jayroe

ROA 0207

From: Arthur Jayroe
Sent: Tuesday, September 02, 2014 3:50 PM
To: 'wadams@newberrycounty.net'
Subject: Letter of 8/2/2014 to Jayroe

Mr. Adams:

In your letter to the part time magistrates dated 8/2/2014 paragraph 3 deals with forms of on call compensation and the discontinuance of such items. Please inform me with specificity as to whose on call compensation is being discontinued, the specific amount of on call compensation for each Judge that is being discontinued and the precise nature and purpose of the on call compensation for each Judge that is being discontinued.

Sincerely,
Art Jayroe
Chief Magistrate



From: Wayne Adams [mailto:wadams@newberrycounty.net]
Sent: Friday, February 06, 2015 8:48 AM
To: A Jayroe
Cc: Debbie Crömer
Subject: Re: 2015 Budget - Jayroe

On Feb 5, 2015, at 7:48 PM, A Jayroe <ajayroe@newberrycounty.net> wrote:

Judge,

We will only be budgeting for three full-time magistrates in FY 15-16 and beyond. We will also be developing a budget following this same format for May and June of the present fiscal year.

To date, we have not discussed any salary changes to those positions.

Thanks for responding to the annual budget request.

Best,

Wayne

From: Arthur Jayroe [mailto:AJayroe@jayroecoa.com]
Sent: Thursday, February 05, 2015 7:44 PM
To: ajayroe@newberrycounty.net
Subject: 2015 Budget - Jayroe

 This email is free from viruses and malware because avast! Antivirus protection is active.

<2015 BUDGET.PDF>

 This email is free from viruses and malware because avast! Antivirus protection is active.



11/14/13
11/14/13

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE



December 2013

December 2013							January 2014						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7	5	6	7	8	9	10	11
8	9	10	11	12	13	14	12	13	14	15	16	17	18
15	16	17	18	19	20	21	19	20	21	22	23	24	25
22	23	24	25	26	27	28	26	27	28	29	30	31	
29	30	31											

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Dec 1 JOHNSON	2	3	4 COUNTY COURT	5	6	7 LAIL
8 LAIL	9	10	11 COUNTY COURT	12	13	14 JAYROE
15 JAYROE	16	17	18 COUNTY COURT WHITMIRE COURT-2:0	19	20	21 HALFACRE
22 HALFACRE	23	24 JAYROE	25 HALFACRE MERRY CHRISTMAS-O	26 JOHNSON	27	28 KOON
29 KOON	30	31 Officer n 9 PM Art	Jan 1, 14 RICK n 9 PM	2	3	4 Johnson 5th Johnson

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
WHITMIRE CITY COURT EVERY 3RD. WEDNESDAY, STARTING AT 2:00 P.M.
AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

11/6/2013 12:50 PM

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

January 2014

RA 0210

January 2014							February 2014						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
5	6	7	8	9	10	11	2	3	4	5	6	7	8
12	13	14	15	16	17	18	9	10	11	12	13	14	15
19	20	21	22	23	24	25	16	17	18	19	20	21	22
26	27	28	29	30	31		23	24	25	26	27	28	

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Dec 29		30	31	Jan 1, 14	2	3	4
				LAIL OFFICE CLOSED			LAIL
5	LAIL	6	7	8	9	10	11
							KOON
12	KOON	13	14	15	16	17	18
							JAYROE
19	JAYROE	20	21	22	23	24	25
		JUDGE KOON OFFICE CLOSED					HALFACRE
26	HALFACRE	27	28	29	30	31	Feb 1

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
 **AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

February 2014

February 2014						
Su	Mo	Tu	We	Th	Fr	Sa
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	

March 2014						
Su	Mo	Tu	We	Th	Fr	Sa
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Jan 26 - Feb 1	Jan 26	27	28	29	30	31	Feb 1
							JOHNSON
Feb 2 - 8	2	3	4	5	6	7	8
	JOHNSON						LAIL
Feb 9 - 15	9	10	11	12	13	14	15
	LAIL						KOON
Feb 16 - 22	16	17	18	19	20	21	22
	KOON	HOLIDAY JAYROE		WHITMIRE CT.-3:00			JAYROE
Feb 23 - Mar 1	23	24	25	26	27	28	Mar 1
	JAYROE						

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.

WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.

**AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

1/9/2014 11:54 AM

March 2014

March 2014							April 2014						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
2	3	4	5	6	7	1	6	7	8	9	10	11	12
9	10	11	12	13	14	8	13	14	15	16	17	18	19
16	17	18	19	20	21	15	20	21	22	23	24	25	26
23	24	25	26	27	28	22	27	28	29	30			
30	31					29							

0412
ROM

2/23 - 28

3/2 - 7

3/9 - 14

3/16 - 21

3/23 - 28

4/0 - 4/4

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Feb 23	24	25	26	27	28	Mar 1
						HALFACRE
2	3	4	5	6	7	8
HALFACRE						JOHNSON
9	10	11	12	13	14	15
JOHNSON						LAIL
16	17	18	19	20	21	22
LAIL			WHITMIRE COURT-3:00			KOON
23	24	25	26	27	28	29
KOON						JAYROE
30	31	Apr 1	2	3	4	5
JAYROE						

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
 **AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

April 2014

021

Mar 30 - Apr 5

Apr 6 - 12

Apr 13 - 19

Apr 20 - 26

Apr 27 - May 3

April 2014

Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

May 2014

Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Mar 30	31	Apr 1	2	3	4	5
						HALFACRE
6	7	8	9	10	11	12
HALFACRE						JOHNSON
13	14	15	16	17	18	19
JOHNSON			whitmire court-3:00 pm		GOOD FRIDAY HALFACRE OFFICE CLOSED	LAIL
20	21	22	23	24	25	26
LAIL						KOON
27	28	29	30	May 1	2	3
KOON						

Judy Sanders, Court Administrator

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
 **AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

NEWBERRY COUNTY WEEKEND & EVENING ON- CALL MAGISTRATE

May 2014

0214

May 2014							June 2014						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3	1	2	3	4	5	6	7
4	5	6	7	8	9	10	8	9	10	11	12	13	14
11	12	13	14	15	16	17	15	16	17	18	19	20	21
18	19	20	21	22	23	24	22	23	24	25	26	27	28
25	26	27	28	29	30	31	29	30					

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Apr 27		28	29	30	May 1	2	3
							JAYROE
4	JAYROE	5	6	7	8	9	10
							HALFACRE
11	HALFACRE	12	13	14	15	16	17
							JOHNSON
18	JOHNSON	19	20	21	22	23	24
				WHITMIRE COURT-3:0			LAIL
25	LAIL	26	27	28	29	30	31
		OFFICE CLOSED-LAIL					KOON

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
 **AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

3/31/2014 2:26 PM

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

June 2014

RCOA 0215

June 2014

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

July 2014

Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Jun 1 - 7	1 Koon	2	3	4	5	6	7 JAYROE
Jun 8 - 14	8 JAYROE	9	10	11	12	13	14 HALFACRE
Jun 15 - 21	15 HALFACRE	16	17	18 WHITMIRE COURT - 3:0	19	20	21 JOHNSON
Jun 22 - 28	22 JOHNSON	23	24	25	26	27	28 LAIL
Jun 29 - Jul 5	29 LAIL	30	Jul 1	2	3	4	5

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD. WEDNESDAY, STARTING AT 2:00 P.M.
 AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

4/28/2014 9:14 AM

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

July 2014

July 2014							August 2014						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
4	7	8	9	10	11	12	3	4	5	6	7	8	9
13	14	15	16	17	18	19	10	11	12	13	14	15	16
20	21	22	23	24	25	26	17	18	19	20	21	22	23
27	28	29	30	31			24	25	26	27	28	29	30
							31						

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Jun 29	30	Jul 1	2	3	4	5
					JAIL OFFICE CLOSED	KOON
6	7	8	9	10	11	12
KOON						JAYROE
13	14	15	16	17	18	19
JAYROE			WHITMIRE COURT - 3:0			HALFACRE
20	21	22	23	24	25	26
HALFACRE						JOHNSON
27	28	29	30	31	Aug 1	2
JOHNSON						

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 2:00 P.M.
 AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

4/28/2014 10:35 AM

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

July 2014

July 2014

Su	Mo	Tu	We	Th	Fr	Sa
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

August 2014

Su	Mo	Tu	We	Th	Fr	Sa
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Jun 29	30	Jul 1	2	3	4	5	
						4TH OF JULY HOLIDAY LAIL OFFICE CLOSED	KOON
6	7	8	9	10	11	12	
KOON							JAYROE
13	14	15	16	17	18	19	
JAYROE			WHITMIRE COURT- 3:0				HALFACRE
20	21	22	23	24	25	26	
HALFACRE							JOHNSON
27	28	29	30	31	Aug 1	2	
JOHNSON							

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
 **AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

6/2/2014 8:00 AM

MJT

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

August 2014

August 2014

Su	Mo	Tu	We	Th	Fr	Sa
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

September 2014

Su	Mo	Tu	We	Th	Fr	Sa
7	1	2	3	4	5	6
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
7/27 - 8/1	Jul 27	28	29	30	31	Aug 1	2
							LAIL
8/3 - 8	3	4	5	6	7	8	9
	LAIL						KOON
8/10 - 15	10	11	12	13	14	15	16
	KOON						JAYROE
8/17 - 22	17	18	19	20	21	22	23
	JAYROE			Whitmire City Court- 3			HALFACRE
8/24 - 29	24	25	26	27	28	29	30
	HALFACRE						JOHNSON
8/31 - 9/5	31	Sep 1	2	3	4	5	6
	JOHNSON						

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
 AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

September 2014

September 2014						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

October 2014						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Aug 31 - Sep 6	Aug 31	Sep 1	2	3	4	5	6
		KOON LABOR DAY OFFICE CLOSED					LAL
Sep 7 - 13	7	8	9	10	11	12	13
	LAL						KOON
Sep 14 - 20	14	15	16	17	18	19	20
	KOON			WHITMIRE COURT-3:00			JAYROE
Sep 21 - 27	21	22	23	24	25	26	27
	JAYROE						HALFACRE
Sep 28 - Oct 4	28	29	30	Oct 1	2	3	4
	HALFACRE						

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
 AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

October 2014

October 2014							November 2014						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
5	6	7	8	9	10	11	2	3	4	5	6	7	8
12	13	14	15	16	17	18	9	10	11	12	13	14	15
19	20	21	22	23	24	25	16	17	18	19	20	21	22
26	27	28	29	30	31		23	24	25	26	27	28	29

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Sep 28	29	30	Oct 1	2	3	4
						JOHNSON
5	6	7	8	9	10	11
JOHNSON						LAIL
12	13	14	15	16	17	18
LAIL			WHITMIRE COURT-3.0			KOON
19	20	21	22	23	24	25
KOON						JAYROE
26	27	28	29	30	31	Nov 1
JAYROE						

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
 AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

November 2014

November 2014							December 2014						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
2	3	4	5	6	7	8	7	8	9	10	11	12	13
9	10	11	12	13	14	15	14	15	16	17	18	19	20
16	17	18	19	20	21	22	21	22	23	24	25	26	27
23	24	25	26	27	28	29	28	29	30	31			
30													

ROA 0221
10/26 - 31
11/2 - 7
11/9 - 14
11/16 - 21
11/23 - 28
11/30 - 12/5

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Oct 26	27	28	29	30	31	Nov 1
						HALFACRE
2	3	4	5	6	7	8
HALFACRE						JOHNSON
9	10	11	12	13	14	15
JOHNSON						LAIL
16	17	18	19	20	21	22
LAIL			WHITMIRE COURT-3:00			KOON
23	24	25	26	27	28	29
KOON				JAYROE THANKSGIVING DAY	HALFACRE THANKSGIVING HOLIDAY	JAYROE
30	Dec 1	2	3	4	5	6
JAYROE						

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

December 2014

RCJA 0222

December 2014							January 2015						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6					1	2	3
7	8	9	10	11	12	13	4	5	6	7	8	9	10
14	15	16	17	18	19	20	11	12	13	14	15	16	17
21	22	23	24	25	26	27	18	19	20	21	22	23	24
28	29	30	31				25	26	27	28	29	30	31

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Nov 30 - Dec 6	Nov 30	Dec 1	2	3	4	5	6 HALFACRE
Dec 7 - 13	7 HALFACRE	8	9	10	11	12	13 JOHNSON
Dec 14 - 20	14 JOHNSON	15	16	17 WHITMIRE COURT-3:00	18	19	20 LAIL
Dec 21 - 27	21 LAIL	22	23	24 JOHNSON	25 LAIL	26 KOON	27 KOON
Dec 28 - Jan 3	28 KOON	29	30	31	Jan 1, 15	2	3

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
 AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

11/24/2014 9:49 AM

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

January 2015

RD# 0223

January 2015							February 2015						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
4	5	6	7	8	9	10	1	2	3	4	5	6	7
11	12	13	14	15	16	17	8	9	10	11	12	13	14
18	19	20	21	22	23	24	15	16	17	18	19	20	21
25	26	27	28	29	30	31	22	23	24	25	26	27	28

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Dec 28	28	29	30	31	Jan 1, 15	2	3
					JAYROE		JAYROE
4	4	5	6	7	8	9	10
	JAYROE						HALFACRE
11	11	12	13	14	15	16	17
	HALFACRE						JOHNSON
18	18	19	20	21	22	23	24
	JOHNSON	HALFACRE HOLIDAY-OFFICE CLOS MARTIN LUTHER KING		WHITMIRE COURT- 30			LAIL
25	25	26	27	28	29	30	31
	LAIL						KOON

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
 AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

11/24/2014 9:49 AM

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

February 2015

February 2015

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28

March 2015

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Feb 1 - 7	Feb 1 KOON	2	3	4	5	6	7 JAYROE
Feb 8 - 14	8 JAYROE	9	10	11	12	13	14 JOHNSON
Feb 15 - 21	15 JOHNSON	16 OFFICE CLOSED ON-CALL JOHNSON PRESIDENT'S DAY	17	18 WHITMIRE COURT-3:00	19	20	21 HALFACRE
Feb 22 - 28	22 HALFACRE	23	24	25	26	27	28 TALL

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
 AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

March 2015

March 2015

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

April 2015

Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Mar 1 - 7	Mar 1 LAIL	2	3	4	5	6	7 KON
Mar 8 - 14	8 KON	9	10	11	12	13	14 JAYROE
Mar 15 - 21	15 JAYROE	16	17	18 CITY OF WHITMIRE - G	19	20	21 HALFACRE
Mar 22 - 28	22 HALFACRE	23	24	25	26	27	28 JOHNSON
Mar 29 - Apr 4	29 JOHNSON	30	31	Apr 1	2	3	4

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
 AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

April 2015

ROA 0222

Mar 29 - Apr 4

Apr 5 - 11

Apr 12 - 18

Apr 19 - 25

Apr 26 - May 2

April 2015							May 2015						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4						1	2
5	6	7	8	9	10	11	3	4	5	6	7	8	9
12	13	14	15	16	17	18	10	11	12	13	14	15	16
19	20	21	22	23	24	25	17	18	19	20	21	22	23
26	27	28	29	30			24	25	26	27	28	29	30
							31						

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Mar 29	30	31	Apr 1	2	3	4
					GOOD FRIDAY JUDGE LAR OFFICE CLOSED	LAIL
5	6	7	8	9	10	11
LAIL						KOON
12	13	14	15	16	17	18
KOON			CITY OF WHITMIRE-34			JAYROE
19	20	21	22	23	24	25
JAYROE						HALFACRE
26	27	28	29	30	May 1	2
HALFACRE						

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
 AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

May 2015

RCOA 0227

May 2015							June 2015						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
3	4	5	6	7	8	9	7	8	9	10	11	12	13
10	11	12	13	14	15	16	14	15	16	17	18	19	20
17	18	19	20	21	22	23	21	22	23	24	25	26	27
24	25	26	27	28	29	30	28	29	30				
31													

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
4/26 - 5/1	Apr 26	27	28	29	30	May 1	2
							JOHNSON
5/3 - 8	3	4	5	6	7	8	9
	JOHNSON						LAIL
5/10 - 15	10	11	12	13	14	15	16
							KOON
5/17 - 22	17	18	19	20	21	22	23
				CITY OF WHETMIRE CO			JAYROE
5/24 - 29	24	25	26	27	28	29	30
		JUDGE KOON MEMORIAL DAY OFFICE CLOSED					HALFACRE
5/31 - 6/5	31	Jun 1	2	3	4	5	6

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
 AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

ROA-0228 June 2015

June 2015							July 2015						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
7	1	2	3	4	5	6	5	6	7	1	2	3	4
14	8	9	10	11	12	13	12	13	14	15	16	17	18
21	15	16	17	18	19	20	19	20	21	22	23	24	25
28	22	23	24	25	26	27	26	27	28	29	30	31	

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
May 31	Jun 1	2	3	4	5	6
						JOHNSON
7	8	9	10	11	12	13
JOHNSON						LAIL
14	15	16	17	18	19	20
LAIL			CITY OF WHITMIRE - 3			KOON
21	22	23	24	25	26	27
KOON						JAYROE
28	29	30	Jul 1	2	3	4
JAYROE						

1 COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 2 WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
 AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

4/29/2015 4:21 PM

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

July 2015

July 2015							August 2015						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
5	6	7	8	9	10	11	2	3	4	5	6	7	8
12	13	14	15	16	17	18	9	10	11	12	13	14	15
19	20	21	22	23	24	25	16	17	18	19	20	21	22
26	27	28	29	30	31		23	24	25	26	27	28	29
							30	31					

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Jun 28	29	30	Jul 1	2	3	4
						HALFACRE
5	6	7	8	9	10	11
HALFACRE	KOON OFFICE CLOSED-4TH Q					JOHNSON
12	13	14	15	16	17	18
JOHNSON			CITY OF WHITMIRE- 3			LAIL
19	20	21	22	23	24	25
LAIL						KOON
26	27	28	29	30	31	Aug 1
KOON						

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
 AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

4/29/2015 4:41 PM

STATE OF SOUTH CAROLINA)
COUNTY OF NEWBERRY)
In re:)
Arthur L. Jayroe Jr.,)
Petitioner)

BEFORE THE COUNTY COUNCIL

**RESPONDENT'S RESPONSES
TO PETITIONER'S
REQUESTS TO ADMIT**

Respondent, the County of Newberry, hereby responds to Petitioner's Requests to Admit as follows:

1. Wayne Adams was responsible for the decision to cease paying the stipend to petitioner, and only informed County Council after the fact.

RESPONSE: Admit.

2. County Council was not involved in the decision to discontinue payment of the stipend to petitioner.

RESPONSE: Deny. (County Council was informed and, therefore, involved to that extent.)

HAYNSWORTH SINKLER BOYD, P.A.

Christine Gantt-Sorenson

Christine Gantt-Sorenson, SC Bar No. 63998
Pierce T. MacLennan, SC Bar No. 101797
ONE North Main, 2nd Floor (29601)
Post Office Box 2048
Greenville, South Carolina 29602
Telephone: 864.240.3200
Facsimile: 864.240.3300

Attorneys for the County of Newberry



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THE RED THERMO SECURED 50° LOGO IN THE LOWER CORNER OF THIS CHECK MUST FADE TEMPORARILY WHEN WARMED BY TOUCH OR FRICTION. SEE BACK FOR ADDITIONAL FEATURES.

NEWBERRY COUNTY PAYROLL

P.O. BOX 156
NEWBERRY, SC 29108

DATE 8-27-2015

001043

11-24/1210

PAY
TO THE
ORDER OF

Arthur L. Jayroe, Jr.

\$ 1,793.19

One thousand seven hundred ninety three dollars & 19/100 DOLLARS



Wells Fargo Bank, N.A.

Gross 2670.32 pers 233.39
MEMO Fed 280.44 SC Taxes 159.04
SS 165.55 Net 1,793.19
Medicare 38.71

Debra A. Gorman

SECURITY MARKING SYSTEM
11-24/1210

JB-1853888

800-444-4444 • 800-555-7555
11-24/1210

ROA 0233

ROA 0234

ENDORSEMENT AREA:

Know your endorser. Require identification.

DO NOT WRITE, STAMP OR SIGN BELOW THIS LINE
RESERVED FOR FINANCIAL INSTITUTION USE

THIS CHECK MUST HAVE THE FOLLOWING SECURITY FEATURES:

- MICROTYPE PRINTED SIGNATURE LINE ON FACE AND ENDORSEMENT LINES (ABOVE) CAN BE EASILY READ WITH MAGNIFIER BUT APPEAR AS DOTS ON PHOTOCOPIES.
- MULTI-COLOR PRINTING ON FACE.
- FAINT IMAGE OF WORD "ORIGINAL" ON BACK OF CHECK.
- PAPER CONTAINS CHEMICAL ALTERATION INDICATORS.

050440

NEWBERRY COUNTY GENERAL FUND
875 JAYROE, ARTHUR

REMITTANCE ADVICE

50440

INVOICE DATE	INVOICE NUMBER	GROSS AMOUNT	DISCOUNT	NET AMOUNT
08/27/2015	INV# 75507 HICKORY KNOB CONFERENCE/ 010-005-15000-02011 609.64	609.64	.00	609.64
		609.64	.00	609.64

THIS DOCUMENT HAS LINE MARK LINES IN THE PAPER - HOLD TO LIGHT TO VIEW

NEWBERRY COUNTY, SOUTH CAROLINA
OFFICE OF COUNTY COUNCIL
NEWBERRY, S.C.

Wells Fargo Bank NA
Newberry, S.C.

67-776
532

050440

SIX HUNDRED NINE AND 64 / 100

DATE AUGUST 27, 2015

PAY TO THE ORDER OF

JAYROE, ARTHUR
PO BOX 95
LITTLE MOUNTAIN, SC 29075

PAY THIS AMOUNT
***\$609.64**

W. Wayne P. [Signature]
NEWBERRY COUNTY ADMINISTRATOR

D. [Signature]
FINANCE DIRECTOR

SECURITY FEATURES INCLUDED. DETAILS ON BACK.

ROA 0235

ROA 0236

WAG-2-VH (7-20)

WAG-2-VH (7-20)
WAG-2-VH (7-20)
WAG-2-VH (7-20)

Listed below are the security features provided on this document which meet and/or exceed industry guidelines.



Security Features:

- Chemical Protection Paper
- TonerFuser® II
- Micro-Printing - "MP"
- LineMark™
- Fluorescent Fibers
- Check Security Screen
- Heat Sensitive Ink

Results of check alterations:

- When chemically altered, the area treated will appear as a brown stain or spot.
- Reveals attempted top-dating or scraping.
- Small type in signature line, under endorsement area and surrounding Padlock Security box appears blurred if copied or scanned.
- Absence of multiple parallel watermark lines. Hold up light to view.
- Visible only under ultraviolet light. Cannot be photocopied or scanned.
- Absence of the words "Original Document" on the back of this check.
- Red image will fade with heat. Rub, hold between thumb & finger or breathe on image for reaction.

3: Padlock design is a certification mark of Check Payment Systems Association.

ROA 0237

ACKNOWLEDGMENT

I, _____, acknowledge receipt of two checks payable to Arthur Jayroe in the amounts of One Thousand, Seven Hundred Ninety-Three and nineteen cents (\$1,793.19) and Six Hundred Nine and sixty-four cents (\$609.64).

Hand Delivered to:

Desa Ballard
Ballard & Watson
Attorneys at Law
226 State Street
Columbia, SC

Signature

Name (Printed)

Date



ROA 0238

COUNTY OF NEWBERRY

OFFICE OF THE COUNTY COUNCIL
COURTHOUSE ANNEX, 1309 COLLEGE STREET
POST OFFICE BOX 156
NEWBERRY, SOUTH CAROLINA 29108

VOICE: (803) 321-2100
FAX: (803) 321-2102
WEB: www.newberrycounty.net

COUNCIL MEMBERS:
HENRY H. LIVINGSTON, III, CHAIRMAN
KIRKSEY KOON, VICE-CHAIRMAN
JOHN E. CALDWELL
WILLIAM D. WALDROP
LESLIE (LES) HIPP
STEVEN C. STOCKMAN
SCOTT CAIN

COUNTY ADMINISTRATOR:
WAYNE ADAMS
COUNTY ATTORNEY:
A.J. TOTHACER, JR.
CLERK TO COUNCIL:
LAURIE N. RENWICK

June 30, 2015

The Honorable Arthur L. Jayroe, Jr.
P.O. Box 95
Little Mountain, SC 29075

Dear Judge Jayroe:

After further review of the documentation received from Court Administration, we have determined that an additional 5 days of pay is due to you for payment through June 9, 2015. According to our records, this is the date your successor was sworn in ("appointed and qualified").

Enclosed you will find a check in the amount of \$231.08 minus retirement contributions for the period June 2, 2015 through June 9, 2015 which represents final payment to you.

If you should have any questions in this regard, please let me know.

Sincerely,

Wanda B. Hill
Director of Human Resources
Newberry County

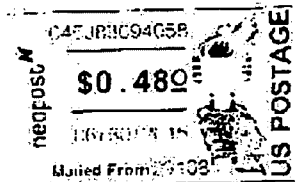
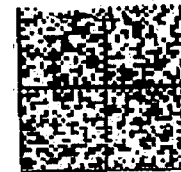
Jayroe 00180





OFFICE OF THE COUNTY COUNCIL
COUNTY OF NEWBERRY
POST OFFICE BOX 95
NEWBERRY, SOUTH CAROLINA 29108

CIN 44512
SC 200
30 JUN '15
PM 4 L



The Honorable Arthur L. Jayroe, Jr.
P.O. Box 95
Little Mountain, SC 29075

29075009595



ROA 0239

Jayroe 00181

RECEIVED THE ARMOSEC DIV. 1111 HANSEL BLVD
 91065-9811 - BT
 9081-055-0000 - 53104 HONOLULU

PO BOX 158
NEWBERRY, SC 29108

001038

11-24/1210

**PAY
TO THE
ORDER OF**

Arthur L. Gayroe, Jr.

\$ 231.08

Two hundred thirty one dollars & 08/100 DOLLARS



Wells Fargo Bank, N.A.

Wells Fargo Bank, N.A.
Gross 297.35 SC State 8.50

MEMO SS 18.44 Pol Ret 35.01
Medicare 4.32 Net 231.08

Delbert D. Cromer

ROA 0240

ROA 0241

CO. FILE DEPT. CLOCK NUMBER 032
ZJL 000245 000575 0000058643 1

COUNTY OF NEWBERRY
P.O. BOX 156
NEWBERRY, SC 29108

Earnings Statement



Period Ending: 05/29/2015
Pay Date: 06/05/2015

Taxable Marital Status: Married
Exemptions/Allowances:
Federal: 0
SC: 0

ARTHUR L JAYROE JR

Earnings	rate	hours	this period	year to date
Regular	594.65	60.00	594.65	7,135.80
Gross Pay			594.65	7,135.80

Other Benefits and Information	this period	total to date
C	1.00	

Deductions	Statutory	Other
Federal Income Tax	-1.09	24.88
Social Security Tax	-29.55	361.95
Medicare Tax	-6.91	84.65
SC State Income Tax	-12.80	161.43
Defcomp-401K	-70.48*	845.76
Defcomp-457	-14.50*	174.00
Dent Pre Fam	-10.67*	117.37
Mp Adm Fee	-0.14*	1.54
Optional Life-P	-2.74*	30.14
Polret	-50.01*	600.12
State Pre Fam	-104.44*	1,148.84
Net Pay		3291.12
Net Check		3291.12

* Excluded from federal taxable wages
Your federal taxable wages this period are \$341.67

Jayroe 00183

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EAR HERE

W-2 Wage and Tax Statement 2011

Copy 2 to be filed with employee's Federal Income Tax Return
OMB No. 1545-0045

d Control number 000245 CHAR/ZJL Dept. 000575 Corp. A Employer use only 132

c Employer's name, address, and ZIP code
**COUNTY OF NEWBERRY
1226 COLLEGE ST
NEWBERRY SC 29108**

Batch #00721

ef Employee's name, address, and ZIP code
ARTHUR L JAYROE JR

b Employer's FED ID number a Employer's SSA number

1 Wages, tips, other comp. 7890.70 2 Federal income tax withheld 59.28

3 Social security wages 11338.69 4 Social security tax withheld 476.22

5 Medicare wages and tips 11338.69 6 Medicare tax withheld 164.41

7 Social security tips 8 Allocated tips

9 10 Dependent care benefits

11 Nonqualified plans 12a See instructions for box 12 D 1832.48

14 Other 12b G 377.00

12c 12d 13 Stat emp/Ret plan 3rd party sick pay

15 State Employer's state ID no. SC 16 State wages, tips, etc. 7890.70

17 State income tax 284.63 18 Local wages, tips, etc.

19 Local income tax 20 Locality name

2011 W-2 and EARNINGS SUMMARY

This blue Earnings Summary section is included with your W-2 to help describe portions in more detail. The reverse side includes general information that you may also find helpful. **ROA 0242**

1. The following information reflects your final 2011 pay stub plus any adjustments submitted by your employer.

Gross Pay	19053.97	Social Security Tax Withheld Box 4 of W-2	476.22	SC State Income Tax Box 17 of W-2 SUI/SDI Box 14 of W-2	284.63
Fed. Income Tax Withheld Box 2 of W-2	59.28	Medicare Tax Withheld Box 6 of W-2	164.41		

2. Your Gross Pay was adjusted as follows to produce your W-2 Statement.

	Wages, Tips, other Compensation Box 1 of W-2	Social Security Wages Box 3 of W-2	Medicare Wages Box 5 of W-2	SC State Wages, Tips, Etc. Box 16 of W-2
Gross Pay	19,053.97	19,053.97	19,053.97	19,053.97
Less Misc. Non Taxable Comp.	1,238.51	N/A	N/A	1,238.51
Less 401(k) (D-Box 12)	1,832.48	N/A	N/A	1,832.48
Less 457(b) (G-Box 12)	377.00	N/A	N/A	377.00
Less Medical FSA	3.36	3.36	3.36	3.36
Less Other Caf 125	7,711.92	7,711.92	7,711.92	7,711.92
Reported W-2 Wages	7,890.70	11,338.69	11,338.69	7,890.70

3. Employee W-4 Profile. To change your Employee W-4 Profile information, file a new W-4 with your payroll dept.

ARTHUR L JAYROE JR

Social Security Number: [REDACTED]

Exemptions/Allowances:

FEDERAL: 0
STATE: 0

© 2011 ADP, INC

1 Wages, tips, other comp. 7890.70	2 Federal income tax withheld 59.28
3 Social security wages 11338.69	4 Social security tax withheld 476.22
5 Medicare wages and tips 11338.69	6 Medicare tax withheld 164.41
d Control number 000245 CHAR/ZJL Dept. 000575 Corp. A Employer use only 132	

c Employer's name, address, and ZIP code
**COUNTY OF NEWBERRY
1226 COLLEGE ST
NEWBERRY SC 29108**

b Employer's FED ID number	a Employer's SSA number
7 Social security tips	8 Allocated tips
9	10 Dependent care benefits
11 Nonqualified plans	12a See instructions for box 12 D 1832.48
14 Other	12b G 377.00
	12c
	12d
	13 Stat emp/Ret plan 3rd party sick pay

ef Employee's name, address, and ZIP code
ARTHUR L JAYROE JR

15 State Employer's state ID no. SC	16 State wages, tips, etc. 7890.70
17 State income tax 284.63	18 Local wages, tips, etc.
19 Local income tax	20 Locality name

Federal Filing Copy
W-2 Wage and Tax Statement 2011
Copy 2 to be filed with employee's Federal Income Tax Return

1 Wages, tips, other comp. 7890.70	2 Federal income tax withheld 59.28
3 Social security wages 11338.69	4 Social security tax withheld 476.22
5 Medicare wages and tips 11338.69	6 Medicare tax withheld 164.41
d Control number 000245 CHAR/ZJL Dept. 000575 Corp. A Employer use only 132	

c Employer's name, address, and ZIP code
**COUNTY OF NEWBERRY
1226 COLLEGE ST
NEWBERRY SC 29108**

b Employer's FED ID number	a Employer's SSA number
7 Social security tips	8 Allocated tips
9	10 Dependent care benefits
11 Nonqualified plans	12a D 1832.48
14 Other	12b G 377.00
	12c
	12d
	13 Stat emp/Ret plan 3rd party sick pay

ef Employee's name, address, and ZIP code
ARTHUR L JAYROE JR

15 State Employer's state ID no. SC	16 State wages, tips, etc. 7890.70
17 State income tax 284.63	18 Local wages, tips, etc.
19 Local income tax	20 Locality name

SC State Filing Copy
W-2 Wage and Tax Statement 2011
Copy 2 to be filed with employee's State Income Tax Return

1 Wages, tips, other comp. 7890.70	2 Federal income tax withheld 59.28
3 Social security wages 11338.69	4 Social security tax withheld 476.22
5 Medicare wages and tips 11338.69	6 Medicare tax withheld 164.41
d Control number 000245 CHAR/ZJL Dept. 000575 Corp. A Employer use only 132	

c Employer's name, address, and ZIP code
**COUNTY OF NEWBERRY
1226 COLLEGE ST
NEWBERRY SC 29108**

b Employer's FED ID number	a Employer's SSA number
7 Social security tips	8 Allocated tips
9	10 Dependent care benefits
11 Nonqualified plans	12a D 1832.48
14 Other	12b G 377.00
	12c
	12d
	13 Stat emp/Ret plan 3rd party sick pay

ef Employee's name, address, and ZIP code
ARTHUR L JAYROE JR

15 State Employer's state ID no. SC	16 State wages, tips, etc. 7890.70
17 State income tax 284.63	18 Local wages, tips, etc.
19 Local income tax	20 Locality name

SC State Filing Copy
W-2 Wage and Tax Statement 2011
Copy 2 to be filed with employee's State Income Tax Return

Employee Reference Copy W-2 Wage and Tax Statement 2013

See the employer's instructions.
Control number 00245 CHAR/ZJL Dept. 000575 Corp. A Employer use only 127

Employer's name, address, and ZIP code
COUNTY OF NEWBERRY
1226 COLLEGE ST
NEWBERRY SC 29108

Batch #00549

Employee's name, address, and ZIP code
ARTHUR L JAYROE JR

Employer's name, address, and ZIP code
[Redacted]

Employer's FED ID number	Employer's SSA number
Wages, tips, other comp.	Federal income tax withheld
4844.10	57.95
Social security wages	Social security tax withheld
8499.70	526.98
Medicare wages and tips	Medicare tax withheld
8499.70	123.25
Social security tips	Allocated tips
	10 Dependent care benefits
1 Nonqualified plans	12a See instructions for box 12
	D 1832.48
4 Other	12b G 377.00
	12c DD 21138.72
	12d
	13 Stat emp./Ret. plan and party sick pay
	X
5 State Employer's state ID no.	16 State wages, tips, etc.
SC	4844.10
7 State income tax	18 Local wages, tips, etc.
152.53	
9 Local income tax	20 Locality name

Wages, tips, other comp. 4844.10	2 Federal income tax withheld 57.95		
Social security wages 8499.70	4 Social security tax withheld 526.98		
Medicare wages and tips 8499.70	6 Medicare tax withheld 123.25		
Control number	Dept.	Corp.	Employer use only
00245 CHAR/ZJL	000575	A	127

Employer's name, address, and ZIP code
COUNTY OF NEWBERRY
1226 COLLEGE ST
NEWBERRY SC 29108

Employer's FED ID number	Employer's SSA number
Social security tips	8 Allocated tips
	10 Dependent care benefits
1 Nonqualified plans	12a See instructions for box 12
	D 1832.48
4 Other	12b G 377.00
	12c DD 21138.72
	12d
	13 Stat emp./Ret. plan and party sick pay
	X

Employee's name, address and ZIP code
ARTHUR L JAYROE JR

5 State Employer's state ID no.	16 State wages, tips, etc.
SC	4844.10
7 State income tax	18 Local wages, tips, etc.
152.53	
9 Local income tax	20 Locality name

Federal Filing Copy
W-2 Wage and Tax Statement 2013

2013 W-2 and Earnings Summary

This blue Earnings Summary section is included with your W-2 to help describe portions in more detail. The reverse side includes general information that you may also find helpful.

1. The following information reflects your final 2013 pay stub plus any adjustments submitted by your employer.

Gross Pay	19488.82	Social Security Tax Withheld	526.98	SC State Income Tax	152.53
		Box 4 of W-2		Box 17 of W-2	
Fed. Income Tax Withheld	57.95	Medicare Tax Withheld	123.25	Box 14 of W-2	
Box 2 of W-2		Box 6 of W-2			

2. Your Gross Pay was adjusted as follows to produce your W-2 Statement.

	Wages, Tips, other Compensation	Social Security Wages	Medicare Wages	SC State Wages, Tips, Etc.
	Box 1 of W-2	Box 3 of W-2	Box 5 of W-2	Box 15 of W-2
Gross Pay	19,488.82	19,488.82	19,488.82	19,488.82
Less Misc. Non Taxable Comp.	1,448.12	N/A	N/A	1,448.12
Less 401(k) (D-Box 12)	1,832.48	N/A	N/A	1,832.48
Less 457(b) (G-Box 12)	377.00	N/A	N/A	377.00
Less Medical FSA	3.36	3.36	3.36	3.36
Less Other Cafe 125	10,985.76	10,985.76	10,985.76	10,985.76
Reported W-2 Wages	4,844.10	8,499.70	8,499.70	4,844.10

3. Employee W-4 Profile. To change your Employee W-4 Profile information, file a new W-4 with your payroll dept.

ARTHUR L JAYROE JR

Social Security Number [Redacted]
Taxable Marital Status: **MARRIED**
Exemptions/Allowances:
FEDERAL: 0
STATE: 0

© 2013 ADP INC

fold and detach here

1 Wages, tips, other comp. 4844.10	2 Federal income tax withheld 57.95
3 Social security wages 8499.70	4 Social security tax withheld 526.98
5 Medicare wages and tips 8499.70	6 Medicare tax withheld 123.25
d Control number Dept.	
000245 CHAR/ZJL 000575	
Corp.	Employer use only
A	127

Employee's name, address, and ZIP code
COUNTY OF NEWBERRY
1226 COLLEGE ST
NEWBERRY SC 29108

Employer's FED ID number	Employer's SSA number
Social security tips	8 Allocated tips
	10 Dependent care benefits
1 Nonqualified plans	12a See instructions for box 12
	D 1832.48
4 Other	12b G 377.00
	12c DD 21138.72
	12d
	13 Stat emp./Ret. plan and party sick pay
	X

Employee's name, address and ZIP code
ARTHUR L JAYROE JR

5 State Employer's state ID no.	16 State wages, tips, etc.
SC	4844.10
7 State income tax	18 Local wages, tips, etc.
152.53	
9 Local income tax	20 Locality name

SC State Reference Copy
W-2 Wage and Tax Statement 2013

1	Wages, tips, other comp. 4844.10	2	Federal income tax withheld 57.95	
3	Social security wages 8499.70	4	Social security tax withheld 526.98	
5	Medicare wages and tips 8499.70	6	Medicare tax withheld 123.25	
d	Control number	Dept.	Corp.	Employer use only
	000245 CHAR/ZJL	000575	A	127

Employee's name, address, and ZIP code
COUNTY OF NEWBERRY
1226 COLLEGE ST
NEWBERRY SC 29108

Employer's FED ID number	Employer's SSA number
Social security tips	8 Allocated tips
	10 Dependent care benefits
1 Nonqualified plans	12a See instructions for box 12
	D 1832.48
4 Other	12b G 377.00
	12c DD 21138.72
	12d
	13 Stat emp./Ret. plan and party sick pay
	X

Employee's name, address and ZIP code
ARTHUR L JAYROE JR

5 State Employer's state ID no.	16 State wages, tips, etc.
SC	4844.10
7 State income tax	18 Local wages, tips, etc.
152.53	
9 Local income tax	20 Locality name

SC State Filing Copy
W-2 Wage and Tax Statement 2013

W-2 Wage and Tax Statement 2013
OMB No. 1545-0046

Control number 01063 CHAR/ZJL Dept. 000571 Corp. Employer use only T EIC 128

Employer's name, address, and ZIP code
**COUNTY OF NEWBERRY
1226 COLLEGE ST
NEWBERRY SC 29108**

Batch #00549

1 Employee's name, address, and ZIP code

ARTHUR L JAYROE JR
[Redacted Address]

Employee's FED ID number a Employee's SSA number

Wages, tips, other comp. 2 Federal income tax withheld

3192.60

Social security wages 4 Social security tax withheld

3432.96 212.84

Medicare wages and tips 6 Medicare tax withheld

3432.96 49.78

Social security tips 8 Allocated tips

10 Dependent care benefits

12a See instructions for box 12

12b

12c

12d

13 Sick pay, short-term disability pay

14 Other

15 State wages, tips, etc.

SC 3192.60

16 Local wages, tips, etc.

104.16

17 Local income tax

20 Locality name

21 Locality name

22 Locality name

23 Locality name

24 Locality name

25 Locality name

26 Locality name

27 Locality name

28 Locality name

29 Locality name

30 Locality name

31 Locality name

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65 Locality name

66 Locality name

67 Locality name

68 Locality name

69 Locality name

70 Locality name

71 Locality name

72 Locality name

2013 W-2 Earnings Summary

This blue Earnings Summary section is included with your W-2 to help describe portions in more detail. The reverse side includes general information that you may also find helpful.

1. The following information reflects your final 2013 pay stub plus any adjustments submitted by your employer.

Gross Pay	3432.96	Social Security Tax Withheld Box 4 of W-2	212.84	SC State Income Tax Box 17 of W-2 SUI/SDI Box 14 of W-2	104.16
Fed. Income Tax Withheld Box 2 of W-2		Medicare Tax Withheld Box 6 of W-2	49.78		

2. Your Gross Pay was adjusted as follows to produce your W-2 Statement.

	Wages, Tips, other Compensation Box 1 of W-2	Social Security Wages Box 3 of W-2	Medicare Wages Box 5 of W-2	SC State Wages, Tips, Etc. Box 16 of W-2
Gross Pay	3,432.96	3,432.96	3,432.96	3,432.96
Less Misc. Non Taxable Comp.	240.36	N/A	N/A	240.36
Reported W-2 Wages	3,192.60	3,432.96	3,432.96	3,192.60

3. Employee W-4 Profile. To change your Employee W-4 Profile information, file a new W-4 with your payroll dept.

ARTHUR L JAYROE JR Social Security Number [Redacted]
[Redacted Address] Exemptions/Allowances:
FEDERAL: 0
STATE: 0

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Wages, tips, other comp. 2 Federal income tax withheld

3192.60

Social security wages 4 Social security tax withheld

3432.96 212.84

Medicare wages and tips 6 Medicare tax withheld

3432.96 49.78

Control number 01063 CHAR/ZJL Dept. 000571 Corp. Employer use only T EIC 128

Employee's name, address, and ZIP code

COUNTY OF NEWBERRY

1226 COLLEGE ST

NEWBERRY SC 29108

Employee's FED ID number a Employee's SSA number

Social security tips 8 Allocated tips

10 Dependent care benefits

12a See instructions for box 12

12b

12c

12d

13 Sick pay, short-term disability pay

14 Other

15 State wages, tips, etc.

SC 3192.60

16 Local wages, tips, etc.

104.16

17 Local income tax

20 Locality name

21 Locality name

22 Locality name

23 Locality name

24 Locality name

25 Locality name

26 Locality name

27 Locality name

28 Locality name

29 Locality name

30 Locality name

31 Locality name

32 Locality name

33 Locality name

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36 Locality name

37 Locality name

38 Locality name

39 Locality name

40 Locality name

41 Locality name

42 Locality name

1 Wages, tips, other comp. 2 Federal income tax withheld

3192.60

3 Social security wages 4 Social security tax withheld

3432.96 212.84

5 Medicare wages and tips 6 Medicare tax withheld

3432.96 49.78

d Control number 001063 CHAR/ZJL Dept. 000571 Corp. Employer use only T EIC 128

e Employee's name, address, and ZIP code

COUNTY OF NEWBERRY

1226 COLLEGE ST

NEWBERRY SC 29108

b Employee's FED ID number a Employee's SSA number

7 Social security tips 8 Allocated tips

10 Dependent care benefits

12a See instructions for box 12

12b

12c

12d

13 Sick pay, short-term disability pay

14 Other

15 State wages, tips, etc.

SC 3192.60

16 Local wages, tips, etc.

104.16

17 Local income tax

20 Locality name

21 Locality name

22 Locality name

23 Locality name

24 Locality name

25 Locality name

26 Locality name

27 Locality name

28 Locality name

29 Locality name

30 Locality name

31 Locality name

32 Locality name

33 Locality name

34 Locality name

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37 Locality name

38 Locality name

39 Locality name

40 Locality name

41 Locality name

42 Locality name

1 Wages, tips, other comp. 2 Federal income tax withheld

3192.60

3 Social security wages 4 Social security tax withheld

3432.96 212.84

5 Medicare wages and tips 6 Medicare tax withheld

3432.96 49.78

d Control number 001063 CHAR/ZJL Dept. 000571 Corp. Employer use only T EIC 128

e Employee's name, address, and ZIP code

COUNTY OF NEWBERRY

1226 COLLEGE ST

NEWBERRY SC 29108

b Employee's FED ID number a Employee's SSA number

7 Social security tips 8 Allocated tips

10 Dependent care benefits

12a See instructions for box 12

12b

12c

12d

13 Sick pay, short-term disability pay

14 Other

15 State wages, tips, etc.

SC 3192.60

16 Local wages, tips, etc.

104.16

17 Local income tax

20 Locality name

21 Locality name

22 Locality name

23 Locality name

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41 Locality name

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Employee Reference Copy
W-2 Wage and Tax Statement 2012
OMB No. 1545-0045

d Control number Dept. Corp. Employer use only
000245 CHAR/ZJL 000575 A 211

e Employer's name, address, and ZIP code
COUNTY OF NEWBERRY
1226 COLLEGE ST
NEWBERRY SC 29108

Batch #00427

f Employee's name, address, and ZIP code
ARTHUR L JAYROE JR
[REDACTED]

b Employer's FED ID number	a Employee's SSA number
1 Wages, tips, other comp. 7449.71	2 Federal income tax withheld 59.35
3 Social security wages 10864.39	4 Social security tax withheld 460.50
5 Medicare wages and tips 10864.39	6 Medicare tax withheld 158.98
7 Social security tips	8 Allocated tips
9	10 Dependent care benefits
11 Nonqualified plans	12a See instructions for box 12 D 1832.48
14 Other	12b G 377.00
	12c DD 17921.76
	12d
15 State/ Employer's state ID no. SC	16 State wages, tips, etc. 7449.71
17 State income tax 262.96	18 Local wages, tips, etc.
19 Local income tax	20 Locality name

1 Wages, tips, other comp. 7449.71	2 Federal income tax withheld 59.35
3 Social security wages 10864.39	4 Social security tax withheld 460.50
5 Medicare wages and tips 10864.39	6 Medicare tax withheld 158.98
d Control number Dept. Corp. Employer use only 000245 CHAR/ZJL 000575 A 211	
e Employer's name, address, and ZIP code COUNTY OF NEWBERRY 1226 COLLEGE ST NEWBERRY SC 29108	
b Employer's FED ID number	a Employee's SSA number
7 Social security tips	8 Allocated tips
9	10 Dependent care benefits
11 Nonqualified plans	12a See instructions for box 12 D 1832.48
14 Other	12b G 377.00
	12c DD 17921.76
	12d
13a Stat emp Ret plan 13b Stat emp Ret plan 13c Stat emp Ret plan 13d Stat emp Ret plan 13e Stat emp Ret plan 13f Stat emp Ret plan 13g Stat emp Ret plan 13h Stat emp Ret plan 13i Stat emp Ret plan 13j Stat emp Ret plan 13k Stat emp Ret plan 13l Stat emp Ret plan 13m Stat emp Ret plan 13n Stat emp Ret plan 13o Stat emp Ret plan 13p Stat emp Ret plan 13q Stat emp Ret plan 13r Stat emp Ret plan 13s Stat emp Ret plan 13t Stat emp Ret plan 13u Stat emp Ret plan 13v Stat emp Ret plan 13w Stat emp Ret plan 13x Stat emp Ret plan 13y Stat emp Ret plan 13z Stat emp Ret plan	
f Employee's name, address, and ZIP code ARTHUR L JAYROE JR [REDACTED]	
15 State/ Employer's state ID no. SC	16 State wages, tips, etc. 7449.71
17 State income tax 262.96	18 Local wages, tips, etc.
19 Local income tax	20 Locality name

Federal Filing Copy
W-2 Wage and Tax Statement 2012
OMB No. 1545-0045

2012 W-2 AND EARNINGS SUMMARY

This blue Earnings Summary section is included with your W-2 to help describe portions in more detail. The reverse side includes general information that you may also find helpful.

1. The following information reflects your final 2012 pay stub plus any adjustments submitted by your employer.

Gross Pay	19329.83	Social Security Tax Withheld Box 4 of W-2	460.50	SC State Income Tax Box 17 of W-2	262.96
Fed. Income Tax Withheld Box 2 of W-2	59.35	Medicare Tax Withheld Box 6 of W-2	158.98	Box 14 of W-2	

2. Your Gross Pay was adjusted as follows to produce your W-2 Statement.

	Wages, Tips, other Compensation Box 1 of W-2	Social Security Wages Box 3 of W-2	Medicare Wages Box 5 of W-2	SC State Wages, Tips, Etc. Box 15 of W-2
Gross Pay	19,329.83	19,329.83	19,329.83	19,329.83
Less Misc. Non Taxable Comp.	1,305.20	N/A	N/A	1,305.20
Less 401(k) (D-Box 12)	1,832.48	N/A	N/A	1,832.48
Less 457(b) (G-Box 12)	377.00	N/A	N/A	377.00
Less Medical FSA	3.36	3.36	3.36	3.36
Less Other Cafe 125	8,362.08	8,362.08	8,362.08	8,362.08
Reported W-2 Wages	7,449.71	10,964.39	10,964.39	7,449.71

3. Employee W-4 Profile. To change your Employee W-4 Profile Information, file a new W-4 with your payroll dept.

ARTHUR L JAYROE JR

Social Security Number: [REDACTED]

Exemptions/Allowances:

FEDERAL: 0
STATE: 0

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1 Wages, tips, other comp. 7449.71	2 Federal income tax withheld 59.35
3 Social security wages 10864.39	4 Social security tax withheld 460.50
5 Medicare wages and tips 10864.39	6 Medicare tax withheld 158.98
d Control number Dept. Corp. Employer use only 000245 CHAR/ZJL 000575 A 211	
e Employer's name, address, and ZIP code COUNTY OF NEWBERRY 1226 COLLEGE ST NEWBERRY SC 29108	
b Employer's FED ID number	a Employee's SSA number
7 Social security tips	8 Allocated tips
9	10 Dependent care benefits
11 Nonqualified plans	12a See instructions for box 12 D 1832.48
14 Other	12b G 377.00
	12c DD 17921.76
	12d
13a Stat emp Ret plan 13b Stat emp Ret plan 13c Stat emp Ret plan 13d Stat emp Ret plan 13e Stat emp Ret plan 13f Stat emp Ret plan 13g Stat emp Ret plan 13h Stat emp Ret plan 13i Stat emp Ret plan 13j Stat emp Ret plan 13k Stat emp Ret plan 13l Stat emp Ret plan 13m Stat emp Ret plan 13n Stat emp Ret plan 13o Stat emp Ret plan 13p Stat emp Ret plan 13q Stat emp Ret plan 13r Stat emp Ret plan 13s Stat emp Ret plan 13t Stat emp Ret plan 13u Stat emp Ret plan 13v Stat emp Ret plan 13w Stat emp Ret plan 13x Stat emp Ret plan 13y Stat emp Ret plan 13z Stat emp Ret plan	
f Employee's name, address, and ZIP code ARTHUR L JAYROE JR [REDACTED]	
15 State/ Employer's state ID no. SC	16 State wages, tips, etc. 7449.71
17 State income tax 262.96	18 Local wages, tips, etc.
19 Local income tax	20 Locality name

SC State Reference Copy
W-2 Wage and Tax Statement 2012
OMB No. 1545-0045

1 Wages, tips, other comp. 7449.71	2 Federal income tax withheld 59.35
3 Social security wages 10864.39	4 Social security tax withheld 460.50
5 Medicare wages and tips 10864.39	6 Medicare tax withheld 158.98
d Control number Dept. Corp. Employer use only 000245 CHAR/ZJL 000575 A 211	
e Employer's name, address, and ZIP code COUNTY OF NEWBERRY 1226 COLLEGE ST NEWBERRY SC 29108	
b Employer's FED ID number	a Employee's SSA number
7 Social security tips	8 Allocated tips
9	10 Dependent care benefits
11 Nonqualified plans	12a See instructions for box 12 D 1832.48
14 Other	12b G 377.00
	12c DD 17921.76
	12d
13a Stat emp Ret plan 13b Stat emp Ret plan 13c Stat emp Ret plan 13d Stat emp Ret plan 13e Stat emp Ret plan 13f Stat emp Ret plan 13g Stat emp Ret plan 13h Stat emp Ret plan 13i Stat emp Ret plan 13j Stat emp Ret plan 13k Stat emp Ret plan 13l Stat emp Ret plan 13m Stat emp Ret plan 13n Stat emp Ret plan 13o Stat emp Ret plan 13p Stat emp Ret plan 13q Stat emp Ret plan 13r Stat emp Ret plan 13s Stat emp Ret plan 13t Stat emp Ret plan 13u Stat emp Ret plan 13v Stat emp Ret plan 13w Stat emp Ret plan 13x Stat emp Ret plan 13y Stat emp Ret plan 13z Stat emp Ret plan	
f Employee's name, address, and ZIP code ARTHUR L JAYROE JR [REDACTED]	
15 State/ Employer's state ID no. SC	16 State wages, tips, etc. 7449.71
17 State income tax 262.96	18 Local wages, tips, etc.
19 Local income tax	20 Locality name

SC State Filing Copy
W-2 Wage and Tax Statement 2012
OMB No. 1545-0045

Employee Reference Copy W-2 Wage and Tax Statement 2012

OMB No. 1545-0047
a Control number 001063 CHAR/ZJL 000571
b Employer's name, address, and ZIP code
COUNTY OF NEWBERRY
1226 COLLEGE ST
NEWBERRY SC 29108

c Employer's name, address, and ZIP code
COUNTY OF NEWBERRY
1226 COLLEGE ST
NEWBERRY SC 29108

Batch #00427

a Employee's name, address, and ZIP code
ARTHUR L JAYROE JR

b Employer's name, address, and ZIP code
COUNTY OF NEWBERRY
1226 COLLEGE ST
NEWBERRY SC 29108

c Employer's name, address, and ZIP code
COUNTY OF NEWBERRY
1226 COLLEGE ST
NEWBERRY SC 29108

d Control number 001063 CHAR/ZJL 000571
e Employer's name, address, and ZIP code
COUNTY OF NEWBERRY
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ai Employer's name, address, and ZIP code
COUNTY OF NEWBERRY
1226 COLLEGE ST
NEWBERRY SC 29108

2012 W-2 and Earnings Summary

This blue Earnings Summary section is included with your W-2 to help describe portions in more detail. The reverse side includes general information that you may also find helpful.

1. The following information reflects your final 2012 pay stub plus any adjustments submitted by your employer.

Gross Pay	2860.80	Social Security Tax Withheld Box 4 of W-2	120.15	SC State Income Tax Box 17 of W-2 BUT/SDI Box 14 of W-2	86.80
Fed. Income Tax Withheld Box 2 of W-2		Medicare Tax Withheld Box 6 of W-2	41.48		

2. Your Gross Pay was adjusted as follows to produce your W-2 Statement.

	Wages, Tips, other Compensation Box 1 of W-2	Social Security Wages Box 3 of W-2	Medicare Wages Box 5 of W-2	SC State Wages, Tips, Etc. Box 16 of W-2
Gross Pay	2,860.80	2,860.80	2,860.80	2,860.80
Less Misc. Non Taxable Comp.	200.30	N/A	N/A	200.30
Reported W-2 Wages	2,660.50	2,860.80	2,860.80	2,660.50

3. Employee W-4 Profile. To change your Employee W-4 Profile Information, file a new W-4 with your payroll department.

ARTHUR L JAYROE JR

Social Security Number

Exemptions/Allowances:

FEDERAL: 0
STATE: 0

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Fold and Detach Here

1 Wages, tips, other comp. 2660.50
2 Federal income tax withheld

3 Social security wages 2860.80
4 Social security tax withheld 120.15

5 Medicare wages and tips 2860.80
6 Medicare tax withheld 41.48

d Control number 001063 CHAR/ZJL 000571
e Employer's name, address, and ZIP code
COUNTY OF NEWBERRY
1226 COLLEGE ST
NEWBERRY SC 29108

f Employer's name, address, and ZIP code
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1 Wages, tips, other comp. 2660.50
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d Control number 001063 CHAR/ZJL 000571
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1 Wages, tips, other comp. 2660.50
2 Federal income tax withheld

3 Social security wages 2860.80
4 Social security tax withheld 120.15

5 Medicare wages and tips 2860.80
6 Medicare tax withheld 41.48

d Control number 001063 CHAR/ZJL 000571
e Employer's name, address, and ZIP code
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Federal Filing Copy
W-2 Wage and Tax Statement 2012

SC State Reference Copy
W-2 Wage and Tax Statement 2012

SC State Filing Copy
W-2 Wage and Tax Statement 2012

Employee Reference Copy N-2 Wage and Tax Statement 2014

Control number 0245 CHAR/ZJL 000575 Dept. A Corp. Employer use only 192

Employer's name, address, and ZIP code COUNTY OF NEWBERRY 1226 COLLEGE ST NEWBERRY SC 29108

Batch #00551

Employee's name, address, and ZIP code ARTHUR L JAYROE JR

Employer's FED ID number	a Employee's SSA number
Wages, tips, other comp. 11877.80	2 Federal income tax withheld 342.80
Social security wages 15574.21	4 Social security tax withheld 965.60
Medicare wages and tips 15574.21	6 Medicare tax withheld 225.83
Social security tips	8 Allocated tips
Nonqualified plans	10 Dependent care benefits
Other	12a See instructions for box 12 D 1832.48
	12b G 377.00
	12c DD 13548.72
	13 Stat emp/Ret plan 3rd party sick pay
State Employer's state ID no. 15 State wages, tips, etc. 11877.80	
State income tax 534.50	18 Local wages, tips, etc.
Local income tax	20 Locality name

Wages, tips, other comp. 11877.80	2 Federal income tax withheld 342.80
Social security wages 15574.21	4 Social security tax withheld 965.60
Medicare wages and tips 15574.21	6 Medicare tax withheld 225.83
Control number 0245 CHAR/ZJL 000575	Dept. A Corp. Employer use only 192

Employer's name, address, and ZIP code COUNTY OF NEWBERRY 1226 COLLEGE ST NEWBERRY SC 29108

Employer's FED ID number	a Employee's SSA number
Social security tips	8 Allocated tips
Nonqualified plans	10 Dependent care benefits
Other	12a See instructions for box 12 D 1832.48
	12b G 377.00
	12c DD 13548.72
	13 Stat emp/Ret plan 3rd party sick pay

Employee's name, address and ZIP code ARTHUR L JAYROE JR PO BOX 95 LITTLE MOUNTAIN SC 29075-0095

State Employer's state ID no. 15 State wages, tips, etc. 11877.80	
State income tax 534.50	18 Local wages, tips, etc.
Local income tax	20 Locality name

Federal Filing Copy N-2 Wage and Tax Statement 2014

2014 W-2 and EARNINGS SUMMARY

This blue Earnings Summary section is included with your W-2 to help describe portions in more detail. The reverse side includes general information that you may also find helpful.

1. The following information reflects your final 2014 pay stub plus any adjustments submitted by your employer.

Gross Pay	18340.21	Social Security Tax Withheld Box 4 of W-2	965.60	SC State Income Tax Box 17 of W-2	534.50
Fed. Income Tax Withheld Box 2 of W-2	342.80	Medicare Tax Withheld Box 6 of W-2	225.83		

2. Your Gross Pay was adjusted as follows to produce your W-2 Statement.

	Wages, Tips, other Compensation Box 1 of W-2	Social Security Wages Box 3 of W-2	Medicare Wages Box 5 of W-2	SC State Wages, Tips, Etc. Box 16 of W-2
Gross Pay	18,340.21	18,340.21	18,340.21	18,340.21
Less Misc. Non Taxable Comp.	1,486.93	N/A	N/A	1,486.93
Less 401(k) (D-Box 12)	1,832.48	N/A	N/A	1,832.48
Less 457(b) (G-Box 12)	377.00	N/A	N/A	377.00
Less Medical FSA	3.36	3.36	3.36	3.36
Less Other Cafe 125	2,762.64	2,762.64	2,762.64	2,762.64
Reported W-2 Wages	11,877.80	15,574.21	15,574.21	11,877.80

3. Employee W-4 Profile. To change your Employee W-4 Profile information, file a new W-4 with your payroll dept.

ARTHUR L JAYROE JR

Social Security Number Taxable Marital Status: MARRIED

Exemptions/Allowances:

FEDERAL: 0 STATE: 0

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Fold and Detach Here

1 Wages, tips, other comp. 11877.80	2 Federal income tax withheld 342.80
3 Social security wages 15574.21	4 Social security tax withheld 965.60
5 Medicare wages and tips 15574.21	6 Medicare tax withheld 225.83
d Control number 000245 CHAR/ZJL 000575	Dept. A Corp. Employer use only 192

e Employer's name, address, and ZIP code COUNTY OF NEWBERRY 1226 COLLEGE ST NEWBERRY SC 29108

b Employer's FED ID number	a Employee's SSA number
7 Social security tips	8 Allocated tips
Nonqualified plans	10 Dependent care benefits
Other	12a See instructions for box 12 D 1832.48
	12b G 377.00
	12c DD 13548.72
	13 Stat emp/Ret plan 3rd party sick pay

e/f Employee's name, address and ZIP code ARTHUR L JAYROE JR PO BOX 95 LITTLE MOUNTAIN SC 29075-0095

15 State Employer's state ID no. 15 State wages, tips, etc. 11877.80	
17 State income tax 534.50	18 Local wages, tips, etc.
19 Local income tax	20 Locality name

SC State Reference Copy W-2 Wage and Tax Statement 2014

1 Wages, tips, other comp. 11877.80	2 Federal income tax withheld 342.80
3 Social security wages 15574.21	4 Social security tax withheld 965.60
5 Medicare wages and tips 15574.21	6 Medicare tax withheld 225.83
d Control number 000245 CHAR/ZJL 000575	Dept. A Corp. Employer use only 192

e Employer's name, address, and ZIP code COUNTY OF NEWBERRY 1226 COLLEGE ST NEWBERRY SC 29108

b Employer's FED ID number	a Employee's SSA number
7 Social security tips	8 Allocated tips
Nonqualified plans	10 Dependent care benefits
Other	12a See instructions for box 12 D 1832.48
	12b G 377.00
	12c DD 13548.72
	13 Stat emp/Ret plan 3rd party sick pay

e/f Employee's name, address and ZIP code ARTHUR L JAYROE JR PO BOX 95 LITTLE MOUNTAIN SC 29075-0095

15 State Employer's state ID no. 15 State wages, tips, etc. 11877.80	
17 State income tax 534.50	18 Local wages, tips, etc.
19 Local income tax	20 Locality name

SC State Filing Copy W-2 Wage and Tax Statement 2014

Compensation Due To Arthur L. Jayroe

ROA 0248

Hourly rate \$26.85 per hour	X 40 hours a week x 52 weeks A year	\$55,848.00 annually
\$55,848.00	X 3 years	\$167,544.00 for 3 years
	Less	< 48,083> base salary already paid
	Base Salary Due (3 years)	\$119,461.00 base salary due
3 years as Chief Magistrate	3,000 year x .5 = 1,500.00 Statutory supplement	
	Already paid \$1,500 per year	\$4,500 3 yrs. (add to \$119,461.00)
Weeknight on-call supplement	Reduced per paycheck starting 9-12-2014 = \$173.08 per pay period	
	20.65 pay periods	\$3,574.00 (unpaid weeknight supplement) (reduced pay during period of term)
Unpaid compensation		Unpaid compensation \$127,535.00 [Treble \$382,605]
Plus attorney fees		

On call hours during the week	77.5 hours per week on call
Times 52 weeks	4,030 hours per year on call annual
Less 3 weeks (covered by others)	- 232.50 hours
Hours on call less 3 weeks	3,797.50 – hours on call annual weeknight
Times \$26.85 per hour	\$101,963.00
For 3 years	\$305,889.00 unpaid on call hours
Less supplement paid (79 pay periods – 20.65 unpaid)	
Times \$4,500 / 26 = 173.08 times 58.35 pay periods	- \$10,099.00 already paid
Balance due for on call service per 1995 minutes	\$295,790.00 Unpaid compensation [Treble \$887,370]
Plus attorney fees	

From: Wayne Adams <wadams@newberrycounty.net>
Sent: Friday, March 02, 2012 10:04 AM
To: Buddy Livingston
Subject: Re: Proposed Magistrates Agreement

Follow Up Flag: Follow up
Flag Status: Flagged

Chairman,

You obviously may meet with the magistrates, either individually or along with full Council. Indeed, as Chairman you certainly have the authority to call such a meeting. That would give you the first-hand input you desire, and it would give them their say, though I doubt that you will hear anything new.

I would advise against the precedent of having magistrates sign off on what they believe is the best arrangement for delivering the services of Summary Court. It is doubtful that magistrates, being of human nature, would ever recommend an arrangement better than the one that benefits them most. Moreover, they can easily disagree among themselves about what that arrangement should be, meaning that a final determination about Summary Court staffing and coverage could be bogged down forever.

Regarding the locations of service delivery, I would suggest nailing that down in the agreement. Otherwise, you might have a Chief Magistrate down the road who believes that he or she can dictate the County's spending by prescribing satellite offices, staffing levels, etc. Also, if this is left to the magistrates and the Senator, it is likely to remain in continual and dysfunctional flux. That's pretty much the way it is now.

I don't believe that anything Council does will limit the ability of the Chief Justice to determine which magistrate will be Chief Magistrate.

For what my opinion's worth, the most important thing is to have three full-timers. In SC Counties, the countryside is littered with "health insurance" and "police retirement" magistrates who are largely unaccountable. Centralizing them to a common location enhances their accountability – to one another – significantly. It also puts remedies for any dissatisfaction about workload, on-call, etc. squarely on the magistrates themselves. They could scarcely appeal to Council for any relief from their problems with each other.

I'm sure my perspective is somewhat jaded from having dealt with part-time magistrates, so you should probably take that into account.

Wayne

On Mar 2, 2012, at 9:19 AM, Buddy Livingston wrote:

> I personally feel we are overstepping our boundaries by specifying anything beyond numbers. If we want three fulltime then we specify that but then specifying location I question. The senator along with the chief justice should appoint chief magistrate and location? Should we not meet with current magistrates simultaneously and gather facts from them on what they feel would best serve or at least get them to sign a letter drafted and signed by all? Our input from them has all been second handed. My opinion only.

> Buddy Livingston





COUNTY OF NEWBERRY

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SCOTT CAIN

COUNTY ADMINISTRATOR:
WAYNE ADAMS
COUNTY ATTORNEY:
A.J. TOTIACER, JR.
CLERK TO COUNCIL:
LAURIE N. RENWICK

July 16, 2014

To: County Council Members
From: County Administrator
Re: Thomas Abraham v. Newberry County

The Honorable Frank R. Addy, Jr. of the Eighth Judicial Circuit has issued his Order in the above-named case. His full Order is attached as a separate document for your full review. What follows in this document are my summary and analysis of the Order.

Summary

Judge Addy took the position that appointments to the position of full-time magistrate and to the position of part-time magistrate are two separate and distinct types of appointments. In this sense, he reasoned that Tom Abraham was improperly demoted. In order for the change in Abraham's status from full-time to part-time to be considered proper, a new appointment to part-time magistrate - a separate appointment approved by the Governor - should have taken place. The damages the Court found, which totaled \$21,805, come entirely from the loss of pay Abraham suffered between the time he was improperly demoted and the time at which his tenure as magistrate expired, i.e., the time at which Senator Cromer chose not to reappoint him as a magistrate in any capacity.

The Court also found that part-time magistrates must be paid for the on-call time they actually spend on the job. This consists largely of weekend bond hearings, but can include other activities, such as being asked to issue warrants. Abraham had asserted that, due to restrictions on personal plans and activities, part-time magistrates on call should be paid their full salary for the entire time they are on



call. While the Court rejected this, Council is advised to consider two caveats: 1) the Judge did say that part-time magistrates are probably due some compensation other than their full wage merely for having their plans and activities restricted by being on call, though he did not say what that level of compensation should be; 2) there is no way for the County to monitor how much on call time part-time magistrates actually spend working, meaning that claims for wages in this regard are essentially made on an honor system. The judge did affirm that full-time magistrates are not eligible for on-call pay.

Analysis

Heretofore, the County has not paid part-time magistrates for on call hours worked, only for the mileage they incur to and from bond court. With this Order having been issued, the County can expect claims from past years by part-time magistrates for hours worked. While there is not a specific statute of limitations on such claims, the general wage and hour statute suggests three years. These claims, too, will be subject to an honor system.

This Order raises the cost of funding part-time magistrates, prospectively and at least potentially in terms of back-pay claims. Couple this with the fact that the County is already risking its status with the State's employee health insurance program by claiming a greater number of hours worked by part-time magistrates than is actual (30 per week), in order to retain coverage for them and their dependents, and the liabilities of having part-time magistrates may have now eclipsed the benefits of such a system.

State law allows for any county to petition its Senate delegation to change the types of magistrates, i.e., the mix of full-time and part-time magistrates that comprise its Summary Court system, provided that this must be done in accordance with Code Section 22-1-10 (A) of the South Carolina Code of Laws.

It should be noted that Abraham has thirty days to appeal Judge Addy's ruling, and that the County would refrain from paying the judgment until we know whether he intends to exercise that option. Further, this judgment is not covered under tort insurance, meaning that it will be a cash expense of the County.

ROA 0252

From: **Wayne Adams** wadams@newberrycounty.net
Subject: **Part-time magistrates -- CONFIDENTIAL**
Date: **August 6, 2014 at 3:45 PM**
To: **Buddy Livingston** blivingston@newberry.k12.sc.us, **Kirksey Koon** kirkseykoon@yahoo.com, **Les Hipp** hippcouncil@bellSouth.net,
Scott Cain scain@newberrycounty.net, **Bill Waldrop** dwaldrop20@gmail.com, **Steve Stockman** stevestockman@aol.net,
John Caldwell johncaldwell@att.net
Cc: **Jay Tothacer** jtothacer@newberrycounty.net, **Laurie Renwick** lrenwick@newberrycounty.net



PT Magistrates On
Call.xls



Three Full-Time
Magistrates...equest.doc

Gentlemen,

For Monday night's meeting of the Public Safety and Courts Committee, I have asked for an executive session. The purpose is to request permission to negotiate with the part-time magistrates who have potential claims against the County for back-pay pertaining to on-call hours worked. The attached spreadsheet details the compensation we would offer to the affected parties in exchange for their full releases of the County from any future claims in these matters. The second document is a draft letter to Senator Cromer that I am asking Council to consider sending him. That letter asks the Senator to change from the current mix of full-time and part-time magistrates to all full-time magistrates. My intention, with the Committee's approval, is to proceed with the letter from Monday night's meeting to the next meeting of full County Council, which is Wednesday, August 20. The discussion with full Council would also be in executive session; however, Council, if it so desires, could vote after the executive session to proceed with the letter to Senator Cromer.

Please understand that these matters are confidential, for a number of reasons.

Let me know if you have questions.

Thanks.

Wayne



Newberry County_000006-CONFIDENTIAL

ROA 0253

Subject: Part-time magistrates -- CONFIDENTIAL

Date: Wednesday, August 6, 2014 at 3:45:20 PM Eastern Daylight Time

From: Wayne Adams

To: Buddy Livingston, Kirksey Koon, Les Hipp, Scott Cain, Bill Waldrop, Steve Stockman, John Caldwell

CC: Jay Tothacer, Laurie Renwick

Category: County Council

Gentlemen,

For Monday night's meeting of the Public Safety and Courts Committee, I have asked for an executive session. The purpose is to request permission to negotiate with the part-time magistrates who have potential claims against the County for back-pay pertaining to on-call hours worked. The attached spreadsheet details the compensation we would offer to the affected parties in exchange for their full releases of the County from any future claims in these matters. The second document is a draft letter to Senator Cromer that I am asking Council to consider sending him. That letter asks the Senator to change from the current mix of full-time and part-time magistrates to all full-time magistrates. My intention, with the Committee's approval, is to proceed with the letter from Monday night's meeting to the next meeting of full County Council, which is Wednesday, August 20. The discussion with full Council would also be in executive session; however, Council, if it so desires, could vote after the executive session to proceed with the letter to Senator Cromer.

Please understand that these matters are confidential, for a number of reasons.

Let me know if you have questions.

Thanks.

Wayne



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SCOTTCAIN

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WAYNE ADAMS

COUNTY ATTORNEY:
A.J. TOTHACHER, JR.

CLERK TO COUNCIL:
LAURIE N. RENWICK

August 21, 2014

Senator Ronnie Cromer
SC Senate District 18
311 Gressette Building
Columbia, SC 29201

Re: Compensation, hours and location of magistrates [SC Code Section 22-1-10 (A)]

Dear Senator Cromer:

In accordance with Code Section 22-1-10 (A), Newberry County Council is requesting changes in the "number of full-time and part-time magistrate positions available in the county, the number of work hours required by each position, the compensation for each position, and the area of the county to which each position is assigned."

Within the parameters of this statute, County Council requests that its full complement of magistrates be changed to include only full-time magistrates, with their terms commencing on May 1, 2015, or at whatever soonest date may be in keeping with the statute. The County understands that the statutory formula currently provides for Newberry County to have three full-time magistrates. Council wishes to discontinue the use of any part-time magistrates. The payment of salaries for the three full-time magistrates would be as required under Code Section 22-8-40, et seq., and their location assignments would be as determined by the magistrate thereafter designated as chief magistrate.



This letter is written more than 90 days prior to the commencement of magistrates' terms, as required under Code Section 22-1-10 (A), and we request that you act upon it according to the appropriate timing.

Thank you for your kind attention to this request.

With best regards,

A handwritten signature in black ink that reads "Wayne Adams". The signature is written in a cursive, flowing style.

Wayne Adams, Newberry County Administrator

Cc: Newberry County Council
Newberry County Magistrates

Jay Tothacer

ROA 0256

From: Wayne Adams <wadams@newberrycounty.net>
Sent: Tuesday, August 26, 2014 2:28 PM
To: Dirk Aydlette
Cc: Jay Tothacer
Subject: On-Call Pay for Part-Time Magistrates

Follow Up Flag: Follow up
Flag Status: Flagged

Dirk,

I am drafting a letter to the part-time magistrates concerning the reporting of hour worked.

Is it OK to include in that letter that we are discontinuing the "on-call" stipend that Council currently has in place?

Wayne



From: **Dirk Aydlette** daydlette@gsblaw.net
Subject: RE: On-Call Pay for Part-Time Magistrates
Date: August 26, 2014 at 2:47 PM
To: wadams@newberrycounty.net

ROA 0257

My recollection is that stipend was paid by resolution. I don't see any reason why you can't discontinue it informally. I'll leave that to you and Jay. However, Jayroe may claim it violates the restriction on lowering pay during his appointment. We can deal with that if it happens.

Sent from my Android phone using TouchDown



ROA 0258

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CLERK TO COUNCIL:
LAURIE N. RENWICK

September 9, 2014

The Honorable Arthur L. Jayroe, Jr.
P.O. Box 95
Little Mountain, SC 29075

Dear Judge Jayroe,

I did not receive your request until it was forwarded to me by the Chairman. I do not know why it did not appear in my email.

In response to your question the only part time magistrate who was receiving any additional 'on call compensation' was you. I understand that before I began working with Newberry County Council authorized \$4500 to be split equally between two magistrates providing on call duties. It is also my understanding that when Judge English was no longer serving as a magistrate that you, in your capacity as Chief Magistrate, directed that the entire \$4500 stipend be paid to you and it has been done ever since you issued that directive. Since none of the other part time magistrates working on call received any portion of that stipend there was no corresponding reduction in the amount offered to compensate them for past work.

Moving forward, we have discontinued the stipend and will now compensate part time magistrates for actual on-call hours worked if the appropriate paperwork is completely and provided to HR in a timely fashion.

I hope this explanation answers your questions.

Please feel free to contact me or Jay Tothacer if you have any additional questions or concern.

Sincerely,


Wayne Adams

Jayroe 00058





NEWBERRY COUNTY PERSONNEL ACTION REQUEST FORM

BOA 0259
TB

Date: <u>August 28, 2014</u>		Effective Date: <u>August 28, 2014</u>	
Name: <u>Arthur L. Jayroe</u>		Race: <u>W</u>	Sex: <u>M</u>
Address: <u>[REDACTED]</u>		Marital Status: ☐ Single ☐ Married	
Date of Birth: <u>[REDACTED]</u>		Social Security Number: <u>[REDACTED]</u>	
Phone: <u>[REDACTED]</u>		Cell: <u>[REDACTED]</u>	
Type of Action	☐ New Hire ☐ Separation ☐ Promotion ☐ Demotion ☐ Name Change ☐ Address Change ☐ Reclassification ☒ Other Explain: <u>Remove \$4,500 on cell salary supplement (see attached)</u>		
New Employee	Department Code: <u>[REDACTED]</u>		Position Title: <u>[REDACTED]</u>
	Pay Rate: <u>[REDACTED]</u>		Annual OR <u>[REDACTED]</u> Hourly
	Grade: <u>[REDACTED]</u>	Retirement Type: ☐ SCRS ☒ PORS	Previous County Employee: ☐ Yes ☐ No
	Type of Employment: ☐ Full Time ☒ Part Time ☐ Temporary Full Time ☐ Temporary Part Time		
	☐ Replacement for Name: <u>[REDACTED]</u> Position: <u>[REDACTED]</u> ☐ New Position Position Number: <u>[REDACTED]</u>		
Emergency Contact: <u>[REDACTED]</u>		Phone: <u>[REDACTED]</u>	
Address: <u>[REDACTED]</u>		Cell: <u>[REDACTED]</u>	
Change of Status	Current Position Title: <u>Chief Magistrate</u>		New Position Title: <u>Chief Magistrate</u>
	Department Code: <u>[REDACTED]</u>		Department Code: <u>[REDACTED]</u>
	Grade: <u>[REDACTED]</u>		Grade: <u>[REDACTED]</u>
	Salary: <u>\$19,960.93</u>		Salary: <u>\$15,460.93</u>
Leave of Absence or Suspension	Type of Absence/Suspension: <u>[REDACTED]</u>		
	Reason for Absence/Suspension: <u>[REDACTED]</u>		
	Effective Dates: <u>[REDACTED]</u>		
Separation	Type of Separation: ☐ Voluntary Resignation ☐ Termination ☐ Other		
	Reason: <u>[REDACTED]</u>		
	Services were: ☐ Satisfactory ☐ Unsatisfactory Would you rehire? ☐ Yes ☐ No		
	If voluntary resignation, was two week notice given? ☐ Yes ☐ No		
	Were credentials, keys, and equipment surrendered? ☐ Yes ☐ No		
Annual Leave Payout Authorized? ☐ Yes ☐ No		Comments: <u>[REDACTED]</u>	
Additional Comments: <u>[REDACTED]</u>			
Signatures	<u>[Signature]</u> Department Head Signature		<u>August 28, 2014</u> Date
	<u>[Signature]</u> Director of Human Resources Signature		<u>August 28, 2014</u> Date
	<u>[Signature]</u> Director of Finance Signature		<u>August 28, 2014</u> Date
Human Resources Use Only	FLSA Code: <u>[REDACTED]</u>		EEOC Code: <u>[REDACTED]</u>
	EEOC Department Code: <u>[REDACTED]</u>		EEOC Job Group/Fed. Cal. <u>[REDACTED]</u>



Employee Earnings

Date: 07/08/2015

Page: 1 of 4

File Number: 000245
 Beginning Date: 01/01/2009
 Ending Date: 07/02/2015

File Numbl	Last Name First Name	Pay Date	Gross Pay	Check/Voucher
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000245	Jayroe Jr, Arthur L	07/09/2010	728.35	00051890

Generated on 07/08/2015 10:55 AM

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Employee Earnings

Date: 07/08/2015

Page: 2 of 4

File Num	Last Name First Name	Pay Date	Gross Pay	Check/Voucher
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000245	Jayroe Jr, Arthur L	09/30/2011	737.34	00053755
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000245	Jayroe Jr, Arthur L	01/06/2012	737.34	00054087
000245	Jayroe Jr, Arthur L	01/20/2012	737.34	00054135
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000245	Jayroe Jr, Arthur L	03/02/2012	737.34	00054355
000245	Jayroe Jr, Arthur L	03/16/2012	737.34	00054401
000245	Jayroe Jr, Arthur L	03/30/2012	737.34	00054445

Employee Earnings

Date: 07/08/2015

Page: 3 of 4

File Num	Last Name First Name	Pay Date	Gross Pay	Check/Voucher
000245	Jayroe Jr, Arthur L	04/13/2012	737.34	00054488
000245	Jayroe Jr, Arthur L	04/27/2012	737.34	00054532
000245	Jayroe Jr, Arthur L	05/11/2012	737.34	00054583
000245	Jayroe Jr, Arthur L	05/25/2012	737.34	00054629
000245	Jayroe Jr, Arthur L	06/08/2012	737.34	00054679
000245	Jayroe Jr, Arthur L	06/22/2012	737.34	00054728
000245	Jayroe Jr, Arthur L	07/06/2012	749.57	00054876
000245	Jayroe Jr, Arthur L	07/20/2012	749.57	00054940
000245	Jayroe Jr, Arthur L	08/03/2012	749.57	00054983
000245	Jayroe Jr, Arthur L	08/17/2012	749.57	00055028
000245	Jayroe Jr, Arthur L	08/31/2012	749.57	00055073
000245	Jayroe Jr, Arthur L	09/14/2012	749.57	00055116
000245	Jayroe Jr, Arthur L	09/28/2012	749.57	00055158
000245	Jayroe Jr, Arthur L	10/12/2012	749.57	00055200
000245	Jayroe Jr, Arthur L	10/26/2012	749.57	00055250
000245	Jayroe Jr, Arthur L	11/09/2012	749.57	00055290
000245	Jayroe Jr, Arthur L	11/23/2012	749.57	00055336
000245	Jayroe Jr, Arthur L	12/07/2012	749.57	00055497
000245	Jayroe Jr, Arthur L	12/21/2012	749.57	00055547
000245	Jayroe Jr, Arthur L	01/04/2013	749.57	00055591
000245	Jayroe Jr, Arthur L	01/18/2013	749.57	00055637
000245	Jayroe Jr, Arthur L	02/01/2013	749.57	00055677
000245	Jayroe Jr, Arthur L	02/15/2013	749.57	00055722
000245	Jayroe Jr, Arthur L	03/01/2013	749.57	00055764
000245	Jayroe Jr, Arthur L	03/15/2013	749.57	00055803
000245	Jayroe Jr, Arthur L	03/29/2013	749.57	00055847
000245	Jayroe Jr, Arthur L	04/12/2013	749.57	00055888
000245	Jayroe Jr, Arthur L	04/26/2013	749.57	00055937
000245	Jayroe Jr, Arthur L	05/10/2013	749.57	00055980
000245	Jayroe Jr, Arthur L	05/24/2013	749.57	00056027
000245	Jayroe Jr, Arthur L	06/07/2013	749.57	00056073
000245	Jayroe Jr, Arthur L	06/21/2013	749.57	00056121
000245	Jayroe Jr, Arthur L	07/05/2013	749.57	00056170
000245	Jayroe Jr, Arthur L	07/19/2013	749.57	00056211
000245	Jayroe Jr, Arthur L	08/02/2013	749.57	00056260
000245	Jayroe Jr, Arthur L	08/16/2013	749.57	00056305
000245	Jayroe Jr, Arthur L	08/30/2013	749.57	00056353
000245	Jayroe Jr, Arthur L	09/13/2013	749.57	00056402
000245	Jayroe Jr, Arthur L	09/27/2013	749.57	00056463
000245	Jayroe Jr, Arthur L	10/11/2013	749.57	00056509
000245	Jayroe Jr, Arthur L	10/25/2013	749.57	00056560
000245	Jayroe Jr, Arthur L	11/08/2013	749.57	00056603
000245	Jayroe Jr, Arthur L	11/22/2013	749.57	00056652
000245	Jayroe Jr, Arthur L	12/06/2013	749.57	00056699
000245	Jayroe Jr, Arthur L	12/20/2013	749.57	00056752

Employee Earnings

Date: 07/08/2015

Page: 4 of 4

File Num	Last Name First Name	Pay Date	Gross Pay	Check/Voucher
000245	Jayroe Jr, Arthur L	01/03/2014	749.57	00056798
000245	Jayroe Jr, Arthur L	01/17/2014	749.57	00056843
000245	Jayroe Jr, Arthur L	01/31/2014	749.57	00056888
000245	Jayroe Jr, Arthur L	02/14/2014	749.57	00056942
000245	Jayroe Jr, Arthur L	02/28/2014	749.57	00056992
000245	Jayroe Jr, Arthur L	03/14/2014	749.67	00057037
000245	Jayroe Jr, Arthur L	03/28/2014	749.57	00057085
000245	Jayroe Jr, Arthur L	04/11/2014	749.57	00057130
000245	Jayroe Jr, Arthur L	04/25/2014	749.57	00067174
000245	Jayroe Jr, Arthur L	05/09/2014	749.57	00067218
000245	Jayroe Jr, Arthur L	05/23/2014	749.57	00067287
000245	Jayroe Jr, Arthur L	06/06/2014	749.57	00067313
000245	Jayroe Jr, Arthur L	06/20/2014	749.57	00067358
000245	Jayroe Jr, Arthur L	07/03/2014	787.72	00067406
000245	Jayroe Jr, Arthur L	07/18/2014	787.72	00067567
000245	Jayroe Jr, Arthur L	08/01/2014	787.72	00067612
000245	Jayroe Jr, Arthur L	08/15/2014	787.72	00067660
000245	Jayroe Jr, Arthur L	08/29/2014	787.72	00067708
000245	Jayroe Jr, Arthur L	09/12/2014	594.65	00067752
000245	Jayroe Jr, Arthur L	09/26/2014	594.65	00067797
000245	Jayroe Jr, Arthur L	10/10/2014	594.65	00067842
000245	Jayroe Jr, Arthur L	10/24/2014	594.65	00067882
000245	Jayroe Jr, Arthur L	11/07/2014	594.65	00067925
000245	Jayroe Jr, Arthur L	11/21/2014	594.65	00067967
000245	Jayroe Jr, Arthur L	12/05/2014	594.65	00068134
000245	Jayroe Jr, Arthur L	12/19/2014	594.65	00068177
000245	Jayroe Jr, Arthur L	01/02/2015	594.65	00068222
000245	Jayroe Jr, Arthur L	01/16/2015	594.65	00068262
000245	Jayroe Jr, Arthur L	01/30/2015	594.65	00068302
000245	Jayroe Jr, Arthur L	02/13/2015	594.65	00068342
000245	Jayroe Jr, Arthur L	02/27/2015	594.65	00068380
000245	Jayroe Jr, Arthur L	03/13/2015	594.65	00068414
000245	Jayroe Jr, Arthur L	03/27/2015	594.65	00068459
000245	Jayroe Jr, Arthur L	04/10/2015	594.65	00068495
000245	Jayroe Jr, Arthur L	04/24/2015	594.65	00068531
000245	Jayroe Jr, Arthur L	05/08/2015	594.65	00068572
000245	Jayroe Jr, Arthur L	05/22/2015	594.65	00068607
000245	Jayroe Jr, Arthur L	06/05/2015	594.65	00068643
000245	Jayroe Jr, Arthur L	06/19/2015	118.94	00260070
000245	Jayroe Jr, Arthur L	06/25/2015	297.35	00001038

ROA 0264**Employee Earnings**

Date: 07/08/2015

Page: 1 of 1

File Number 001063
Beginning Date 01/01/2009
Ending Date 07/02/2015

File Num	Last Name First Name	Pay Date	Gross Pay	Check/Voucher
001063	Jayroe Jr, Arthur L	08/17/2012	286.08	00055028
001063	Jayroe Jr, Arthur L	08/31/2012	286.08	00055071
001063	Jayroe Jr, Arthur L	09/14/2012	286.08	00055113
001063	Jayroe Jr, Arthur L	09/28/2012	286.08	00055156
001063	Jayroe Jr, Arthur L	10/12/2012	286.08	00055198
001063	Jayroe Jr, Arthur L	10/26/2012	286.08	00055248
001063	Jayroe Jr, Arthur L	11/09/2012	286.08	00055288
001063	Jayroe Jr, Arthur L	11/23/2012	286.08	00055334
001063	Jayroe Jr, Arthur L	12/07/2012	286.08	00055495
001063	Jayroe Jr, Arthur L	12/21/2012	286.08	00055545
001063	Jayroe Jr, Arthur L	01/04/2013	286.08	00055589
001063	Jayroe Jr, Arthur L	01/18/2013	286.08	00055635
001063	Jayroe Jr, Arthur L	02/01/2013	286.08	00055675
001063	Jayroe Jr, Arthur L	02/15/2013	286.08	00055720
001063	Jayroe Jr, Arthur L	03/01/2013	286.08	00055762
001063	Jayroe Jr, Arthur L	03/15/2013	286.08	00055801
001063	Jayroe Jr, Arthur L	03/29/2013	286.08	00055845
001063	Jayroe Jr, Arthur L	04/12/2013	286.08	00055888
001063	Jayroe Jr, Arthur L	04/26/2013	286.08	00055935
001063	Jayroe Jr, Arthur L	05/10/2013	286.08	00055978
001063	Jayroe Jr, Arthur L	05/24/2013	286.08	00056025
001063	Jayroe Jr, Arthur L	06/07/2013	286.08	00056071

Magistrate Information

County Council approved on September 20, 1995 to pay a \$4500.00 for on call nights and weekends. The motion was to split pay of \$4500.00 between Chief Magistrate and Assistant Magistrate.

September 20, 1995

Split between Barry Koon and

Mark English was hired August 3, 2000 at that time he was receiving one half of the stipend \$2250.00

Art Jayroe and Mark English split \$4500.00

Mark English resigned effective December 31, 2005.

Effective January 1, 2006, Art Jayroe per email to increase his salary buy the other half of the stipend.

2001-2002 Fiscal year split between Mark English and Charles Rushton

Art Jayroe - 8-1-1995

Tom Abraham 4-22-2002

Mark English 7-27-2000 - 12-31-2005

Joseph Beckman 4/22/2002 terminated 12-16-05

Barry Koon 5-5-83 Part time Full Time 9-1-1991 - terminate 5-14-2001

7-8-2005

Jayroe & Mark English

Barry Koons
Date of Hire

7-8-2005 Chief Mag Pay M.E

Gordon Part time to
full time

FY 2000-2001 - Koon 2250 Rushton 2250





COUNTY OF NEWBERRY

OFFICE OF THE COUNTY COUNCIL
POST OFFICE BOX 156
NEWBERRY, SOUTH CAROLINA 29108

(803)321-2100
FAX: (803)321-2102

COUNCILMEN:
HENRY H. LIVINGSTON, III, CHAIRMAN
KIRKSEY KOON, VICE-CHAIRMAN
JOHN E. CALDWELL
WILLIAM D. WALDROP
LESLIE HIPPE
STEVE STOCKMAN
SCOTT CAIN

WAYNE ADAMS
COUNTY ADMINISTRATOR
A. J. TOTHACER, JR.
COUNTY ATTORNEY
LAURIE N. RENWICK
CLERK TO COUNCIL

August 28, 2014

The Honorable Arthur L. Jayroe, Jr.
P.O. Box 95
Little Mountain, SC 29075

Sent by Email and US Mail

Dear Judge Jayroe:

The County recently determined that it might not have been fully compliant with the South Carolina Magistrate's Pay Act. Under the Act, part-time magistrates are entitled to call pay for hours worked over their set weekly hours. Unfortunately, no part-time magistrate has ever submitted an itemized request for call time payment or a time sheet showing any call hours worked. While it would be difficult, if not impossible, to determine with absolute accuracy what your total excess call hours are, the County has attempted to make a reasonable and fair determination based on your time in office and the County's understanding of the rotating call schedule over the last three years.

Based on our calculations, we intend to make a gross payment to you of \$2,608.50, subject to the usual wage withholdings. The County will also make its Social Security and State Retirement System contributions. Because the amount owed is uncertain and speculative, the County will require a signed release from you prior to payment. If you agree to accept the above amount, please sign the enclosed release and return it to the County Administrator's office. Once we have received your signed release, a payroll check will be issued to you.

Importantly, if you have received any other form of compensation for call time over the past three years, the amount referenced in the above paragraph reflects a corresponding prior

Jayroe 00060

EXHIBIT

tabbies

ROA 0267

reduction. Moreover, as of the date of this memorandum, the County is discontinuing any such payments.

Going forward, part-time magistrates must report all on-call hours worked using the attached form. Completed forms must be submitted to the County's Director of Human Resources no later than noon Monday of each week following any call duty work pertaining to the prior week. Failure to properly record your hours could result in a delay or waiver of payment.

Should you wish to discuss this matter in more detail, please contact Jay Tothacer, Newberry County Attorney at 321-1415

Sincerely,


Wayne Adams
County Administrator

cc: County Council

Jayroe 00061

STATE OF SOUTH CAROLINA)
NEWBERRY COUNTY)

GENERAL RELEASE

Arthur L. Jayroe, Jr. ("Mr. Jayroe") and Newberry County ("the County"), hereby agree as follows:

1. For and in consideration of the gross payment of wages to Mr. Jayroe in the amount of Two Thousand and Six Hundred and Eight and 50/100 Dollars (\$2,608.50), the net amount of which is One Thousand and Nine Hundred and Eighty-one and 63/100 Dollars (\$1,981.63), the undersigned Mr. Jayroe for himself, his heirs, executors, administrators, and assigns, intends to and does hereby release, acquit, forever discharge, and covenant not to sue the County, its present and past officials, employees, agents, and attorneys, from and/or with regard to any and all causes of action, claims, demands, costs, interest, attorney's fees, and all claims of any nature and kind whatsoever, known or unknown, from the beginning of time until the date hereof which Mr. Jayroe has or in the future may be entitled to have against the County, on account of or in any way arising out of or in connection with Mr. Jayroe's appointment and service as a Newberry County Magistrate. Mr. Jayroe agrees, as a further consideration and inducement for this Settlement Agreement and Release in Full (hereinafter "Release"), that it shall apply to unknown and unanticipated damages resulting from or in any way connected to his appointment and service as a Newberry County Magistrate to the date hereof as well as to those now disclosed.

2. This agreement is the compromise of doubtful and disputed claims and this Release is not to be construed as an admission of liability on the part of the County. The County expressly denies liability of any nature or kind whatsoever to Mr. Jayroe. Mr. Jayroe agrees that he will not assert or imply that the County has admitted any liability to him as a result of this agreement/and or payment made to him.

3. Mr. Jayroe hereby acknowledges that he has read and fully understands this Release, agrees that it incorporates all oral understandings and negotiations between him and the County, and that it is the entire agreement between them.

IN WITNESS WHEREOF, Mr. Jayroe has set his hand and seal below.

Arthur L. Jayroe, Jr.

Date: _____

Jayroe 00062

PART-TIME MAGISTRATE WEEKLY TIME REPORT

NOTE: ALL CALL DUTY HOURS WORKED MUST BE RECORDED WEEKLY AND ALL HOURS RECORDED MUST HAVE BEEN WORKED. FAILURE TO REPORT ANY ERRORS IN YOUR WORK HOURS REPORTED OR PAID WITHIN 14 CALENDAR DAYS OF RECEIVING YOUR PAYCHECK MAY RESULT IN FORFEITURE OF ANY ADDITIONAL PAY THAT MAY BE DUE.

Name: _____

For the calendar week of _____ through _____, 20____

Sun ____/____ Hours worked: _____

Mon ____/____ Hours worked: _____

Tue ____/____ Hours worked: _____

Wed ____/____ Hours worked: _____

Thur ____/____ Hours worked: _____

Fri ____/____ Hours worked: _____

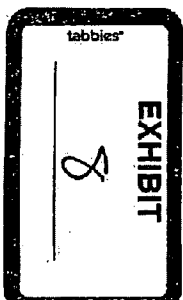
Sat ____/____ Hours worked: _____

TOTAL HOURS WORKED: _____

Signature: _____ Date: _____

Payroll Dates	Days worked	Magistrate on call	Hours Worked	Hrly Rate	Paid	Date Paid
9/12/2014		Lail	15.5	29.98	464.69	9/26/2014
9/26/2014		Koon	3.5	23.38	81.83	10/10/2014
10/10/2014	nothing					
10/24/2014		Lail	15	29.98	449.7	10/24/2014
11/7/2014						
11/21/2014		Lail	8	29.98	239.84	11/21/2014
Sent Email pay only 4 hours week						
12/5/2014		Koon	4	23.38	93.52	
12/19/2014	Nothing					
1/2/2015	nothing					
1/16/2015		Lail	4	29.98	119.92	1/16/2015
1/30/2015	nothing					
2/13/2015		Lail	4	29.98	119.92	2/13/2015
2/27/2015	nothing					
3/13/2015		Lail	4	29.98	119.92	3/13/2015
3/27/2015		koon	4	23.38	93.52	
4/10/2015	nothing					
4/24/2015		lail	4	29.98	119.92	4/24/2015
5/8/2015		koon	3.5	23.38	81.83	5/8/2015
5/22/2015	nothing					
6/5/2015						
6/19/2015						

Newberry County_000046-CONFIDENTIAL



ROA 0270

[illegible]

ROA 0271

Jayroe 00168

CONFIDENTIAL

[illegible]

ROA 0272

Jayroe 00169

[illegible]

* AS FIXED BY CHIEF MAGISTRATE AND COUNTY COUNCIL
** AS FIXED BY CHIEF MAGISTRATE

ROA 0273

Jayroe 00170

CONFIDENTIAL

[illegible]

* AS FIXED BY CHIEF MAGISTRATE AND COUNTY COUNCIL
** AS FIXED BY CHIEF MAGISTRATE

ROA 0274

Jayroe 00171

Newberry County Weekend & Evening On-Call Magistrate

December 2010

December 2010							January 2011						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4							1
5	6	7	8	9	10	11	2	3	4	5	6	7	8
12	13	14	15	16	17	18	9	10	11	12	13	14	15
19	20	21	22	23	24	25	16	17	18	19	20	21	22
26	27	28	29	30	31		23	24	25	26	27	28	29
							30	31					

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Nov 28	29	30	Dec 1	2	3	4
			COUNTY COURT			ABRAHAM-924-5167
5	6	7	8	9	10	11
ABRAHAM			COUNTY COURT			LAIL-924-2149
12	13	14	15	16	17	18
LAIL			COUNTY COURT WHITMIRE CITY COUR			JAYROE-945-7222
19	20	21	22	23	24	25
JAYROE			COUNTY COURT		HALFACRE 8:00am	HALFACRE-924-3744
26	27	28	29	30	31	Jan 1, 11
HALFACRE	JAYROE	ABRAHAM	COUNTY COURT		LAIL OFFICE CLOSED	

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.

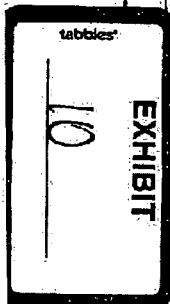
WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.

AFTER HOURS ON-CALL DURING WEEK CHIEF JAYROE

Jayroe 000096

ROA 0275

11/29/2010 4:49 PM



NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

March 2011

March 2011							April 2011						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5							
6	7	8	9	10	11	12	3	4	5	6	7	8	9
13	14	15	16	17	18	19	10	11	12	13	14	15	16
20	21	22	23	24	25	26	17	18	19	20	21	22	23
27	28	29	30	31			24	25	26	27	28	29	30

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Feb 27	28	Mar 1	2	3	4	5	
			COUNTY COURT			HALFACRE	
6	7	8	9	10	11	12	
HALFACRE			COUNTY COURT			JOHNSON	
13	14	15	16	17	18	19	
JOHNSON			COUNTY COURT			ABRAHAM	
20	21	22	23	24	25	26	
ABRAHAM			COUNTY COURT			LAIL	
27	28	29	30	31	Apr 1	2	
LAIL			COUNTY COURT				

Feb 27 - Mar 5

Mar 6 - 12

Mar 13 - 19

Mar 20 - 26

Mar 27 - Apr 2

ROA 0276

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3rd WEDNESDAY, STARTING AT 3:00 P.M.
 AFTER HOURS ON-CALL DURING WEEK-CHIEF JUDGE JAYROE

2/7/2011 2:55 PM

Jayroe 00097

ROA 0276

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

October 2011

October 2011							November 2011						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
						1			1	2	3	4	5
2	3	4	5	6	7	8	6	7	8	9	10	11	12
9	10	11	12	13	14	15	13	14	15	16	17	18	19
16	17	18	19	20	21	22	20	21	22	23	24	25	26
23	24	25	26	27	28	29	27	28	29	30			
30	31												

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Sep 25	26	27	28	29	30	Oct 1
9/25 - 30							HALFACRE
10/2 - 7	2 HALFACRE	3	4	5 COUNTY COURT	6	7	8 LAIL
10/9 - 14	9 LAIL	10	11	12 COUNTY COURT	13	14	15 ABRAHAM
10/16 - 21	16 ABRAHAM	17	18	19 COUNTY COURT	20	21	22 LAIL
10/23 - 28	23 LAIL	24	25	26 COUNTY COURT	27	28	29 JAYROE
10/30 - 11/4	30 JAYROE	31	Nov 1	2	3	4	5

Jayroe 00098

ROA 0277

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
 AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

9/28/2011 9:14 AM

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

May 2012

May 2012

Su	Mo	Tu	We	Th	Fr	Sa
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

June 2012

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Apr 29	30	May 1	2	3	4	5
			COUNTY COURT			JAYROE
6	7	8	9	10	11	12
JAYROE			COUNTY COURT			HALFACRE
13	14	15	16	17	18	19
HALFACRE			COUNTY COURT			JOHNSON
20	21	22	23	24	25	26
JOHNSON			COUNTY COURT			LAIL
27	28	29	30	31	Jun 1	2
LAIL	HALFACRE OFFICE CLOSED		COUNTY COURT			

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
 AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

June 2012

June 2012							July 2012						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
3	4	5	6	7	1	2	1	2	3	4	5	6	7
10	11	12	13	14	8	9	8	9	10	11	12	13	14
17	18	19	20	21	15	16	15	16	17	18	19	20	21
24	25	26	27	28	22	23	22	23	24	25	26	27	28
					29	30	29	30	31				

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
May 27 - Jun 2	May 27	28	29	30	31	Jun 1	2
							JAYROE
6 - 8 Jun	3	4	5	6	7	8	9
	JAYROE			COUNTY COURT			JOHNSON
9 - 10 Jun	10	11	12	13	14	15	16
	HALFACRE			COUNTY COURT			HALFACRE
11 - 13 Jun	17	18	19	20	21	22	23
	JOHNSON			CITY OF WHITMIRE CO COUNTY COURT			LAIL
14 - 16 Jun	24	25	26	27	28	29	30
	LAIL			COUNTY COURT			JAYROE

ROA 0279

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
 AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

July 2012

July 2012

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

August 2012

Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Jul 1 - 7	Jul 1 JAYROE	2	3	4 COUNTY COURT	5	6	7 HALFACRE
Jul 8 - 14	8 HALFACRE	9	10	11 COUNTY COURT	12	13	14 JOHNSON
Jul 15 - 21	15 JOHNSON	16	17	18 CITY COURT WHITMIRE COUNTY COURT	19	20	21 LAIL
Jul 22 - 28	22 LAIL	23	24	25 COUNTY COURT	26	27	28 JAYROE
Jul 29 - Aug 4	29 JAYROE	30	31	Aug 1	2	3	4

ROA 0280

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
 AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

Jayroe 00124

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

August 2012

August 2012

Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

September 2012

Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Jul 29 - Aug 4	Jul 29	30	31	Aug 1 COUNTY COURT	2	3	4 HALFACRE
Aug 5 - 11	5 HALFACRE	6	7	8 COUNTY COURT	9	10	11 JOHNSON
Aug 12 - 18	12 JOHNSON	13	14	15 COUNTY COURT WHITMIRE CITY COUR	16	17	18 LAIL
Aug 19 - 25	19 LAIL	20	21	22 COUNTY COURT	23	24	25 JAYROE
Aug 26 - Sep 1	26 JAYROE	27	28	29 COUNTY COURT	30	31	Sep 1

Jayroe 00125

ROA 0281

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

September 2012

September 2012							October 2012						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
2	3	4	5	6	7	8	1	2	3	4	5	6	7
9	10	11	12	13	14	15	8	9	10	11	12	13	14
16	17	18	19	20	21	22	15	16	17	18	19	20	21
23	24	25	26	27	28	29	22	23	24	25	26	27	28
30							29	30	31				

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Aug 26	27	28	29	30	31	Sep 1
8/26 - 31							HALFACRE
	2	3	4	5	6	7	8
9/2 - 7	HALFACRE	OFFICE CLOSED-LABOR		COUNTY COURT			JOHNSON
	9	10	11	12	13	14	15
9/9 - 14	JOHNSON			COUNTY COURT			LAIL
	16	17	18	19	20	21	22
9/16 - 21	LAIL			CITY OF WHITMIRE CO COUNTY COURT			JAYROE
	23	24	25	26	27	28	29
9/23 - 28	JAYROE			COUNTY COURT			HALFACRE
	30	Oct 1	2	3	4	5	6
5/01 - 06/6	HALFACRE						

Jayroe 00126

ROA 0282

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
 AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

October 2012

October 2012							November 2012						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6					1	2	3
7	8	9	10	11	12	13	4	5	6	7	8	9	10
14	15	16	17	18	19	20	11	12	13	14	15	16	17
21	22	23	24	25	26	27	18	19	20	21	22	23	24
28	29	30	31				25	26	27	28	29	30	

Jayroe 00127

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Sep 30 - Oct 6	Sep 30	Oct 1	2	3 COUNTY COURT	4	5	6 JOHNSON
Oct 7 - 13	7 JOHNSON	8	9	10 COUNTY COURT	11	12	13 LAIL
Oct 14 - 20	14 LAIL	15	16	17 city of whitmire court - COUNTY COURT	18	19	20 JAYROE
Oct 21 - 27	21 JAYROE	22	23	24 COUNTY COURT	25	26	27 HALFACRE
Oct 28 - Nov 3	28 HALFACRE	29	30	31 COUNTY COURT	Nov 1	2	3

ROA 0283

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
 AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

November 2012

November 2012

Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

December 2012

Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Oct 28	29	30	31	Nov 1	2	3
Oct 28 - Nov 3							JOHNSON
	4	5	6	7	8	9	10
Nov 4 - 10	JOHNSON			COUNTY COURT			LAIL
	11	12	13	14	15	16	17
Nov 11 - 17	LAIL			COUNTY COURT			JAYROE
	18	19	20	21	22	23	24
Nov 18 - 24	JAYROE			COUNTY COURT	JAYROE OFFICE CLOSED - THAN	HALFACRE OFFICE CLOSED	HALFACRE
	25	26	27	28	29	30	Dec 1
Nov 25 - Dec 1	HALFACRE			COUNTY COURT			

Jayroe 00128

ROA 0284

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
 AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

December 2012

December 2012							January 2013						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
2	3	4	5	6	7	8	6	7	8	9	10	11	12
9	10	11	12	13	14	15	13	14	15	16	17	18	19
16	17	18	19	20	21	22	20	21	22	23	24	25	26
23	24	25	26	27	28	29	27	28	29	30	31		
30	31												

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Nov 25	26	27	28	29	30	Dec 1
11/25 - 30							JOHNSON
12/2 - 7	2 JOHNSON	3	4	5 COUNTY COURT	6	7	8 LAIL
12/9 - 14	9 LAIL	10	11	12 COUNTY COURT	13	14	15 JAYROE
12/16 - 21	16 JAYROE	17	18	19 COUNTY COURT	20	21	22 HALFACRE
12/23 - 28	23 HALFACRE	24 JOHNSON	25 LAIL	26 JAYROE	27	28	29 JOHNSON
12/30 - 1/4	30 JOHNSON	31	Jan 1, 13	2	3	4	5

ROA 0285

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
 AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

Jayroe 00129

NEWBERRY COUNTY WEEKLY EVENING ON-CALL MAGISTRATE

January 2013

January 2013

Su	Mo	Tu	We	Th	Fr	Sa
6	7	1	2	3	4	5
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

February 2013

Su	Mo	Tu	We	Th	Fr	Sa
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28		

Dec 30 - Jan 5
Jan 6 - 12
Jan 13 - 19
Jan 20 - 26
Jan 27 - Feb 2

Jayroe 00130

ROA 0286

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Dec 30	31	Jan 1, 13	2	3	4	5
		HALFACRE OFFICE CLOSED	COUNTY COURT			LAIL
6	7	8	9	10	11	12
			COUNTY COURT			JAYROE
13	14	15	16	17	18	19
			CITY OF WHITMIRE COUNTY COURT			HALFACRE
20	21	22	23	24	25	26
	JOHNSON OFFICE CLOSED		COUNTY COURT			JOHNSON
27	28	29	30	31	Feb 1	2
			COUNTY COURT			

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
WHITMIRE CITY COURT EVERY 3RD. WEDNESDAY, STARTING AT 3:00 P.M.
AFTER HOURS ON-CALL DURING WEEK- CHIEF JAYROE

NEWBERRY COUNTY WARD & EVEING ON- CALL MAGISTRATE

February 2013

February 2013

Su	Mo	Tu	We	Th	Fr	Sa
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28		

March 2013

Su	Mo	Tu	We	Th	Fr	Sa
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Jan 27 - Feb 2	Jan 27	28	29	30	31	Feb 1	2
							LAIL
Feb 3 - 9	3	4	5	6	7	8	9
	LAIL			COUNTY COURT			JAYROE
Feb 10 - 16	10	11	12	13	14	15	16
	JAYROE			COUNTY COURT			JOHNSON
Feb 17 - 23	17	18	19	20	21	22	23
	JOHNSON	OFFICE CLOSED-LAIL		CITY OF WHITMIRE CO COUNTY COURT			HALFACRE
Feb 24 - Mar 2	24	25	26	27	28	Mar 1	2
				COUNTY COURT			ROA 0287

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
WHITMIRE COURT EVERY 3RD. WEDNESDAY, STARTING AT 3:00 P.M.
AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

March 2013

March 2013							April 2013						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
3	4	5	6	7	8	9	7	8	9	10	11	12	13
10	11	12	13	14	15	16	14	15	16	17	18	19	20
17	18	19	20	21	22	23	21	22	23	24	25	26	27
24	25	26	27	28	29	30	28	29	30				
31													

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Feb 24	25	26	27	28	Mar 1	2
						LAIL
3	4	5	6	7	8	9
LAIL			COUNTY COURT			JAYROE
10	11	12	13	14	15	16
JAYROE			COUNTY COURT			HALFACRE
17	18	19	20	21	22	23
HALFACRE			CITY OF WHITMIRE CO COUNTY COURT			JOHNSON
24	25	26	27	28	29	30
JOHNSON			COUNTY COURT		JAYROE OFFICE CLOSED - GOOD	LAIL
31	Apr 1	2	3	4	5	6
LAIL						

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
WHITMIRE COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

ROA 0288

Jayroe 00132

2/24 - 3/1

3/3 - 8

3/10 - 15

3/17 - 22

3/24 - 29

1 - 4/5

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

April 2013

April 2013							May 2013						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
7	8	9	10	11	12	13	5	6	7	8	9	10	11
14	15	16	17	18	19	20	12	13	14	15	16	17	18
21	22	23	24	25	26	27	19	20	21	22	23	24	25
28	29	30					26	27	28	29	30	31	

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Mar 31	Apr 1	2	3	4	5	6	
			COUNTY COURT				JAYROE
7	8	9	10	11	12	13	
JAYROE			COUNTY COURT				HALFACRE
14	15	16	17	18	19	20	
HALFACRE			CITY OF WHITMIRE CO COUNTY COURT				JOHNSON
21	22	23	24	25	26	27	
JOHNSON			COUNTY COURT				LAIL
28	29	30	May 1	2	3	4	
LAIL							

Mar 31 - Apr 6
Apr 7 - 13
Apr 14 - 20
Apr 21 - 27
Apr 28 - May 4

Jayroe 00133

ROA 0289

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
WHITMIRE CITY COURT EVERY 3rd WEDNESDAY, STARTING AT 3:00 P.M.
AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

3/20/2013 2:14 PM

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

May 2013

May 2013							June 2013						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
5	6	7	8	9	10	11	2	3	4	5	6	7	8
12	13	14	15	16	17	18	9	10	11	12	13	14	15
19	20	21	22	23	24	25	16	17	18	19	20	21	22
26	27	28	29	30	31		23	24	25	26	27	28	29
							30						

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Apr 28 - May 4	Apr 28	29	30	May 1	2	3	4
				COUNTY COURT			JAYROE
May 5 - 11	5	6	7	8	9	10	11
	JAYROE			COUNTY COURT			HALFACRE
May 12 - 18	12	13	14	15	16	17	18
	HALFACRE			CITY OF WHITMIRE CO COUNTY COURT			JOHNSON
May 19 - 25	19	20	21	22	23	24	25
	JOHNSON			COUNTY COURT			LAIL
May 26 - Jun 1	26	27	28	29	30	31	Jun 1
	LAIL	HALFACRE OFFICE CLOSED		COUNTY COURT			Jayroe

ROA 0290

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
 AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

June 2013

June 2013							July 2013						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
2	3	4	5	6	7	8	7	8	9	10	11	12	13
9	10	11	12	13	14	15	14	15	16	17	18	19	20
16	17	18	19	20	21	22	21	22	23	24	25	26	27
23	24	25	26	27	28	29	28	29	30	31			
30													

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
May 26	27	28	29	30	31	Jun 1
						JAYROE
2	3	4	5	6	7	8
JAYROE			COUNTY COURT			HALFACRE
9	10	11	12	13	14	15
HALFACRE			COUNTY COURT			JOHNSON
16	17	18	19	20	21	22
JOHNSON			CITY OF WHITMIRE CO COUNTY COURT			LAIL
23	24	25	26	27	28	29
LAIL			COUNTY COURT			JAYROE
30	Jul 1	2	3	4	5	6
JAYROE						

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.

WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.

AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

5/24/2013 4:13 PM

ROA 0291

Jayroe 00135

5/26 - 31

6/2 - 7

6/9 - 14

6/16 - 21

6/23 - 28

6/30 - 7/5

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

July 2013

July 2013							August 2013						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6					1	2	3
7	8	9	10	11	12	13	4	5	6	7	8	9	10
14	15	16	17	18	19	20	11	12	13	14	15	16	17
21	22	23	24	25	26	27	18	19	20	21	22	23	24
28	29	30	31				25	26	27	28	29	30	31

Jayroe 00136

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Jun 30	Jul 1	2	3	4	5	6
			COUNTY COURT	JOHNSON OFFICE CLOSED		HALFACRE
7	8	9	10	11	12	13
HALFACRE			COUNTY COURT			JOHNSON
14	15	16	17	18	19	20
JOHNSON			CITY OF WHITMIRE-3:00 COUNTY COURT			LAIL
21	22	23	24	25	26	27
LAIL			COUNTY COURT			JAYROE
28	29	30	31	Aug 1	2	3
JAYROE			COUNTY COURT			

ROA 0292

ROA 0292

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00P.M.
 AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

August 2013

August 2013							September 2013						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
4	5	6	7	8	9	10	1	2	3	4	5	6	7
11	12	13	14	15	16	17	8	9	10	11	12	13	14
18	19	20	21	22	23	24	15	16	17	18	19	20	21
25	26	27	28	29	30	31	22	23	24	25	26	27	28
							29	30					

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Jul 28	29	30	31	Aug 1	2	3	HALFACRE
4	5	6	7	8	9	10	JOHNSON
HALFACRE			COUNTY COURT				
11	12	13	14	15	16	17	LAIL
JOHNSON			COUNTY COURT				
18	19	20	21	22	23	24	KOON
LAIL			CITY OF WHITMIRE-3:00 COUNTY COURT				
25	26	27	28	29	30	31	JAYROE
KOON			COUNTY COURT				

ROA 0293

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 P.M.
WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
**AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

Jayroe 00137

August 2013

August 2013

Su	Mo	Tu	We	Th	Fr	Sa
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

September 2013

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Jul 28 4 HALFACRE	29 5	30 6	31 7 COUNTY COURT	Aug 1 8	2 9	3 10 HALFACRE
11 JOHNSON	12	13	14 COUNTY COURT	15	16	17 LAIL
18 LAIL	19	20	21 CITY OF WHITMIRE-3:00 COUNTY COURT	22	23	24 KOON
25 KOON	26	27	28 COUNTY COURT	29	30	31 HALFACRE

Jul 28 - Aug 3
Aug 4 - 10
Aug 11 - 17
Aug 18 - 24
Aug 25 - 31

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ROA 0294

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 P.M.
WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
**AFTER HOURS ON-CALL DURING WEEK END

Jayroe 00138

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

September 2013

September 2013

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

October 2013

Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Sep 1 - 7	Sep 1 HALFACRE	2 LABOR DAY LAIL OFFICE CLOSED	3	4 COUNTY COURT	5	6	7 JAYROE
Sep 8 - 14	8 JAYROE	9	10	11 COUNTY COURT	12	13	14 JOHNSON
Sep 15 - 21	15 JOHNSON	16	17	18 COUNTY COURT	19	20	21 LAIL
Sep 22 - 28	22 LAIL	23	24	25 COUNTY COURT	26	27	28 KOON
Sep 29 - Oct 5	29 KOON	30	Oct 1	2	3	4	5

ROA 0295

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 P.M.
WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
**AFTER HOURS ON-CALL DURING WEEK: CHIEF JAYROE

7/19/2013 12:46 PM

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

October 2013

October 2013							November 2013						
Su	Mo	Tu	We	Th	Fr	Sa	Sa	Mo	Tu	We	Th	Fr	Sa
6	7	8	9	10	11	12	3	4	5	6	7	8	9
13	14	15	16	17	18	19	10	11	12	13	14	15	16
20	21	22	23	24	25	26	17	18	19	20	21	22	23
27	28	29	30	31			24	25	26	27	28	29	30

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Sep 29 - Oct 5	Sep 29	30	Oct 1	2 COUNTY COURT	3	4	5 JAYROE
Oct 6 - 12	6 JAYROE	7	8	9 COUNTY COURT	10	11	12 HALFACRE
Oct 13 - 19	13 HALFACRE	14	15	16 CITY OF WHITMIRE CO COUNTY COURT	17	18	19 JOHNSON
Oct 20 - 26	20 JOHNSON	21	22	23 COUNTY COURT	24	25	26 LAIL
Oct 27 - Nov 2	27 LAIL	28	29	30 COUNTY COURT	31	Nov 1	2

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
 AFTER HOURS ON-CALL DURING WEEK: CHIEF JAYROE

ROA 0296

Jayroe 00140

November 2013

November 2013

Su	Mo	Tu	We	Th	Fr	Sa
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

December 2013

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Oct 27 - Nov 2	Oct 27	28	29	30	31	Nov 1	2
							KOON
Nov 3 - 9	3	4	5	6	7	8	9
	KOON			COUNTY COURT			JAYROE
Nov 10 - 16	10	11	12	13	14	15	16
	JAYOE			COUNTY COURT			HALFACRE
Nov 17 - 23	17	18	19	20	21	22	23
	HALFACRE			COUNTY COURT WHITMIRE COURT-3:00			JOHNSON
Nov 24 - 30	24	25	26	27	28	29	30
	JOHNSON			COUNTY COURT	KOON	KOON	KOON

ROA 0297

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
 **AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

Most
Recent
Nov 14, 2013

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

November 2013

November 2013							December 2013						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
					1	2	1	2	3	4	5	6	7
3	4	5	6	7	8	9	8	9	10	11	12	13	14
10	11	12	13	14	15	16	15	16	17	18	19	20	21
17	18	19	20	21	22	23	22	23	24	25	26	27	28
24	25	26	27	28	29	30	29	30	31				

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Oct 27	28	29	30	31	Nov 1	2
							KOON
	3	4	5	6	7	8	9
	KOON			COUNTY COURT			JAYROE
	10	11	12	13	14	15	16
	JAYROE			COUNTY COURT			HALFACRE
	17	18	19	20	21	22	23
	HALFACRE			COUNTY COURT WHITMIRE COURT-2:0			JOHNSON
	24	25	26	27	28	29	30
	JOHNSON			COUNTY COURT	KOON	KOON	JOHNSON

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 2:00 P.M.
AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

11/6/2013 12:50 PM

Jayroe 00142

ROA 0298

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

December 2013

December 2013

Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

January 2014

Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Dec 1 - 7	Dec 1 JOHNSON	2	3	4 COUNTY COURT	5	6	7 LAIL
Dec 8 - 14	8 LAIL	9	10	11 COUNTY COURT	12	13	14 JAYROE
Dec 15 - 21	15 JAYROE	16	17	18 COUNTY COURT WHITMIRE COURT-20	19	20	21 HALFACRE
Dec 22 - 28	22 HALFACRE	23	24 JAYROE	25 HALFACRE MERRY CHRISTMAS-O	26 JOHNSON	27	28 KOON
Dec 29 - Jan 4	29 KOON	30	31 <i>Offline even Art</i>	Jan 1, 14 <i>RICK N 9 PM 7</i>	2	3	4 <i>Johnson 5th Johnson</i>

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 2:00 P.M.
AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

11/6/2013 12:50 PM

ROA 0299

Jayroe 00143

January 2014

January 2014							February 2014						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
5	6	7	8	9	10	11	2	3	4	5	6	7	8
12	13	14	15	16	17	18	9	10	11	12	13	14	15
19	20	21	22	23	24	25	16	17	18	19	20	21	22
26	27	28	29	30	31		23	24	25	26	27	28	

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Dec 29	30	31	Jan 1, 14	2	3	4	
			LAIL OFFICE CLOSED				LAIL
5	6	7	8	9	10	11	
LAIL							KOON
12	13	14	15	16	17	18	
KOON							JAYROE
19	20	21	22	23	24	25	
JAYROE	JUDGE KOON OFFICE CLOSED						HALFACRE
26	27	28	29	30	31	Feb 1	
HALFACRE							

Dec 29 - Jan 4
Jan 5 - 11
Jan 12 - 18
Jan 19 - 25
Jan 26 - Feb 1

Jayroe 00144

ROA 0300

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
**AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

February 2014

February 2014

Su	Mo	Tu	We	Th	Fr	Sa
2	3	4	5	6	7	1
9	10	11	12	13	14	8
16	17	18	19	20	21	15
23	24	25	26	27	28	22

March 2014

Su	Mo	Tu	We	Th	Fr	Sa
2	3	4	5	6	7	1
9	10	11	12	13	14	8
16	17	18	19	20	21	15
23	24	25	26	27	28	22
30	31					29

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Jan 26	27	28	29	30	31	Feb 1
							JOHNSON
	2	3	4	5	6	7	8
	JOHNSON						LAIL
	9	10	11	12	13	14	15
	LAIL						KOON
	16	17	18	19	20	21	22
	KOON	HOLIDAY JAYROE		WHITMIRE CT. - 3:00			JAYROE
	23	24	25	26	27	28	Mar 1
	JAYROE						

Jayroe 00145

Jan 26 - Feb 1

Feb 2 - 8

Feb 9 - 15

Feb 16 - 22

Feb 23 - Mar 1

ROA 0301

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD. WEDNESDAY, STARTING AT 3:00 P.M.
 **AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

March 2014

March 2014

Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

April 2014

Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30			

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Feb 23	24	25	26	27	28	Mar 1
2/23 - 28							HALFACRE
	2	3	4	5	6	7	8
3/2 - 7	HALFACRE						JOHNSON
	9	10	11	12	13	14	15
3/9 - 14	JOHNSON						LAIL
	16	17	18	19	20	21	22
3/16 - 21	LAIL			WHITMIRE COURT-3:00			KOON
	23	24	25	26	27	28	29
3/23 - 28	KOON						JAYROE
	30	31	Apr 1	2	3	4	5
4/1 - 4/4	JAYROE						

ROA 0302

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
 **AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

2/4/2014 9:34 AM

NEWBERRY COUNTY WEEKEND EVENING ON- CALL MAGISTRATE

April 2014

April 2014							May 2014						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
5	7	1	2	3	4	5	4	5	6	7	8	9	10
13	14	15	16	17	18	19	11	12	13	14	15	16	17
20	21	22	23	24	25	26	18	19	20	21	22	23	24
27	28	29	30				25	26	27	28	29	30	31

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Mar 30	31	Apr 1	2	3	4	5	HALFACRE
6	7	8	9	10	11	12	JOHNSON
13	14	15	16	17	18	19	LAIL
20	21	22	23	24	25	26	KOON
27	28	29	30	May 1	2	3	

Mar 30 - Apr 5
Apr 6 - 12
Apr 13 - 19
Apr 20 - 26
Apr 27 - May 3

Jayroe 00147

ROA 0303

Judy Sanders, Court Administrator

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
**AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

May 2014

May 2014							June 2014						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3	1	2	3	4	5	6	7
4	5	6	7	8	9	10	8	9	10	11	12	13	14
11	12	13	14	15	16	17	15	16	17	18	19	20	21
18	19	20	21	22	23	24	22	23	24	25	26	27	28
25	26	27	28	29	30	31	29	30					

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Apr 27 - May 3	Apr 27	28	29	30	May 1	2	3
							JAYROE
May 4 - 10	4	5	6	7	8	9	10
	JAYROE						HALFACRE
May 11 - 17	11	12	13	14	15	16	17
	HALFACRE						JOHNSON
May 18 - 24	18	19	20	21	22	23	24
	JOHNSON			WHITMIRE COURT-3:0			LAIL
May 25 - 31	25	26	27	28	29	30	31
	LAIL	OFFICE CLOSED-LAIL					KOON

ROA 0304

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
 **AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

3/31/2014 2:26 PM

NEWBERRY COUNTY WEEKLY & EVENING ON-CALL MAGISTRATE

June 2014

June 2014							July 2014						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7							
8	9	10	11	12	13	14	6	7	8	9	10	11	12
15	16	17	18	19	20	21	13	14	15	16	17	18	19
22	23	24	25	26	27	28	20	21	22	23	24	25	26
29	30						27	28	29	30	31		

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Jun 1 - 7 Jun 8 - 14 Jun 15 - 21 Jun 22 - 28 Jun 29 - Jul 5	Jun 1 KOON	2	3	4	5	6	7
							JAYROE
	8	9	10	11	12	13	14
	JAYROE						HALFACRE
	15	16	17	18	19	20	21
	HALFACRE			WHITMIRE COURT- 3:0			JOHNSON
	22	23	24	25	26	27	28
	JOHNSON						LAIL
	29	30	Jul 1	2	3	4	5
	LAIL						

ROA 0305

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 2:00 P.M.
 AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

4/28/2014 9:14 AM

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

July 2014

July 2014							August 2014						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5	1	4	5	6	7	8	9
6	7	8	9	10	11	12	10	11	12	13	14	15	16
13	14	15	16	17	18	19	17	18	19	20	21	22	23
20	21	22	23	24	25	26	24	25	26	27	28	29	30
27	28	29	30	31			31						

Jayroe 00150

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Jun 29 - Jul 5	Jun 29	30	Jul 1	2	3	4 LAIL OFFICE CLOSED	5 KOON
Jul 5 - 12	6 KOON	7	8	9	10	11	12 JAYROE
Jul 13 - 19	13 JAYROE	14	15	16 WHITMIRE COURT- 3:0	17	18	19 HALFACRE
Jul 20 - 26	20 HALFACRE	21	22	23	24	25	26 JOHNSON
Jul 27 - Aug 2	27 JOHNSON	28	29	30	31	Aug 1	2

ROA 0306

4/28/2014 10:35 AM

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
WHITMIRE CITY COURT EVERY 3RD, WEDNESDAY, STARTING AT 2:00 P.M.
AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

July 2014

July 2014						
Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

August 2014						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Jun 29	30	Jul 1	2	3	4	5
Jun 29 - Jul 5						4TH OF JULY HOLIDAY LAIL OFFICE CLOSED	KOON
	6	7	8	9	10	11	12
Jul 6 - 12	KOON						JAYROE
	13	14	15	16	17	18	19
Jul 13 - 19	JAYROE			WHITMIRE COURT - 30			HALFACRE
	20	21	22	23	24	25	26
Jul 20 - 26	HALFACRE						JOHNSON
	27	28	29	30	31	Aug 1	2
Jul 27 - Aug 2	JOHNSON						

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
 **AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

6/2/2014 8:00 AM

ROA-0307

Jayroe 00151

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

August 2014

August 2014							September 2014						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
						1	7	8	9	10	11	12	13
3	4	5	6	7	8	9	14	15	16	17	18	19	20
10	11	12	13	14	15	16	21	22	23	24	25	26	27
17	18	19	20	21	22	23	28	29	30				
24	25	26	27	28	29	30							
31													

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Jul 27	28	29	30	31	Aug 1	2
7/27 - 8/1							LAIL
	3	4	5	6	7	8	9
8/3 - 8	LAIL						KOON
	10	11	12	13	14	15	16
8/10 - 15	KOON						JAYROE
	17	18	19	20	21	22	23
8/17 - 22	JAYROE			Whitmire City Court- 3)			HALFACRE
	24	25	26	27	28	29	30
8/24 - 29	HALFACRE						JOHNSON
	31	Sep 1	2	3	4	5	6
8/31 - 9/5	JOHNSON						

ROA 0308

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD. WEDNESDAY, STARTING AT 3:00 P.M.
 AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

Jayroe 00152

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

September 2014

September 2014						
Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

October 2014						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Aug 31	Sep 1	2	3	4	5	6
		KOON LABOR DAY OFFICE CLOSED					LAIL
Aug 31 - Sep 6							
	7	8	9	10	11	12	13
	LAIL						KOON
Sep 7 - 13							
	14	15	16	17	18	19	20
	KOON			WHITMIRE COURT-3:00			JAYROE
Sep 14 - 20							
	21	22	23	24	25	26	27
	JAYROE						HALFACRE
Sep 21 - 27							
	28	29	30	Oct 1	2	3	4
Sep 28 - Oct 4	HALFACRE						ROA 0309

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
 AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

Jayroe 00153

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

October 2014

October 2014							November 2014						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
5	6	7	1	2	3	4	2	3	4	5	6	7	8
12	13	14	15	16	17	18	9	10	11	12	13	14	15
19	20	21	22	23	24	25	16	17	18	19	20	21	22
26	27	28	29	30	31		23	24	25	26	27	28	29

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Sep 28 - Oct 4	Sep 28	29	30	Oct 1	2	3	4
							JOHNSON
Oct 5 - 11	5	6	7	8	9	10	11
	JOHNSON						LAIL
Oct 12 - 18	12	13	14	15	16	17	18
	LAIL			WHITMIRE COURT-3:00			KOON
Oct 19 - 25	19	20	21	22	23	24	25
	KOON						JAYROE
Oct 26 - Nov 1	26	27	28	29	30	31	Nov 1
	JAYROE						

Jayroe 00154

ROA 0310

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
 AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

9/3/2014 9:10 AM

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

November 2014

November 2014							December 2014						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
2	3	4	5	6	7	8	7	8	9	10	11	12	13
9	10	11	12	13	14	15	14	15	16	17	18	19	20
16	17	18	19	20	21	22	21	22	23	24	25	26	27
23	24	25	26	27	28	29	28	29	30	31			
30													

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Oct 26	27	28	29	30	31	Nov 1
10/26 - 31							HALFACRE
11/7 - 7	2 HALFACRE	3	4	5	6	7	8 JOHNSON
11/8 - 14	9 JOHNSON	10	11	12	13	14	15 LAIL
11/16 - 21	16 LAIL	17	18	19 WHITMIRE COURT-3:0	20	21	22 KOON
11/23 - 28	23 KOON	24	25	26	27 JAYROE THANKSGIVING DAY	28 HALFACRE THANKSGIVING HOLIDAY	29 JAYROE
11/30 - 12/5	30 JAYROE	Dec 1	2	3	4	5	6

Jayroe 00155

ROA 0311

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
 AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

9/3/2014 9:11 AM

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

December 2014

December 2014							January 2015						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6					1	2	3
7	8	9	10	11	12	13	4	5	6	7	8	9	10
14	15	16	17	18	19	20	11	12	13	14	15	16	17
21	22	23	24	25	26	27	18	19	20	21	22	23	24
28	29	30	31				25	26	27	28	29	30	31

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Jayroe 00156	Nov 30	Dec 1	2	3	4	5	6
							HALFACRE
	7	8	9	10	11	12	13
	HALFACRE						JOHNSON
	14	15	16	17	18	19	20
	JOHNSON			WHITMIRE COURT-3:0			LAIL
	21	22	23	24	25	26	27
	LAIL			JOHNSON	LAIL	KOON	KOON
	28	29	30	31	Jan 1, 15	2	3
	KOON						

ROA 0312

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
 AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

11/24/2014 9:49 AM

January 2015

January 2015							February 2015						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
4	5	6	7	8	9	10	1	2	3	4	5	6	7
11	12	13	14	15	16	17	8	9	10	11	12	13	14
18	19	20	21	22	23	24	15	16	17	18	19	20	21
25	26	27	28	29	30	31	22	23	24	25	26	27	28

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Dec 28	29	30	31	Jan 1, 15	2	3
Dec 28 - Jan 3					JAYROE		JAYROE
	4	5	6	7	8	9	10
Jan 4 - 10	JAYROE						HALFACRE
	11	12	13	14	15	16	17
Jan 11 - 17	HALFACRE						JOHNSON
	18	19	20	21	22	23	24
Jan 18 - 24	JOHNSON	HALFACRE HOLIDAY-OFFICE CLOS MARTIN LUTHER KING		WHITMIRE COURT- 30			LAIL
	25	26	27	28	29	30	31
Jan 25 - 31	LAIL						KOON

Jayroe 00157

ROA 0313

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
 AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

February 2015

February 2015							March 2015						
Sa	Mo	Tu	We	Th	Fr	Sa	Sa	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7	1	2	3	4	5	6	7
8	9	10	11	12	13	14	8	9	10	11	12	13	14
15	16	17	18	19	20	21	15	16	17	18	19	20	21
22	23	24	25	26	27	28	22	23	24	25	26	27	28
							29	30	31				

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Feb 1 - 7	Feb 1 Koon	2	3	4	5	6	7 JAYROE
Feb 8 - 14	8 JAYROE	9	10	11	12	13	14 JOHNSON
Feb 15 - 21	15 JOHNSON	16 OFFICE CLOSED ON-CALL JOHNSON PRESIDENT'S DAY	17	18 WHITMIRE COURT-3:00	19	20	21 HALFACRE
Feb 22 - 28	22 HALFACRE	23	24	25	26	27	28 LAIL

Jayroe 00158

ROA 0314

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
 AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

1/7/2015 4:22 PM

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

March 2015

March 2015							April 2015						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7	5	6	7	8	9	10	11
8	9	10	11	12	13	14	12	13	14	15	16	17	18
15	16	17	18	19	20	21	19	20	21	22	23	24	25
22	23	24	25	26	27	28	26	27	28	29	30		
29	30	31											

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Mar 1 - 7	Mar 1 LAIL	2	3	4	5	6	7 KODN
Mar 8 - 14	8 KODN	9	10	11	12	13	14 JAYROE
Mar 15 - 21	15 JAYROE	16	17	18 CITY OF WHITMIRE - CS	19	20	21 HALFACRE
Mar 22 - 28	22 HALFACRE	23	24	25	26	27	28 JOHNSON
Mar 29 - Apr 4	29 JOHNSON	30	31	Apr 1	2	3	4

Jayroe 00159

ROA 0315

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
 AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

1/7/2015 4:32 PM

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

April 2015

April 2015							May 2015						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4						1	2
5	6	7	8	9	10	11	3	4	5	6	7	8	9
12	13	14	15	16	17	18	10	11	12	13	14	15	16
19	20	21	22	23	24	25	17	18	19	20	21	22	23
26	27	28	29	30			24	25	26	27	28	29	30
							31						

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Mar 29	30	31	Apr 1	2	3	GOOD FRIDAY JUDGE LAIL OFFICE CLOSED	LAIL
5	6	7	8	9	10	11	KOON
LAIL							
12	13	14	15	16	17	18	JAYROE
KOON			CITY OF WHITMIRE-3:0				
19	20	21	22	23	24	25	HALFACHE
JAYROE							
26	27	28	29	30	May 1	2	
HALFACHE							

Jayroe 00160

ROA 0316

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

3/2/2015 10:27 AM

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

May 2015

May 2015							June 2015						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
3	4	5	6	7	8	9	7	8	9	10	11	12	13
10	11	12	13	14	15	16	14	15	16	17	18	19	20
17	18	19	20	21	22	23	21	22	23	24	25	26	27
24	25	26	27	28	29	30	28	29	30				
31													

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Apr 26	27	28	29	30	May 1	2
4/26 - 5/1							JOHNSON
5/3 - 8	3 JOHNSON	4	5	6	7	8	9 LAIL
5/10 - 15	10	11	12	13	14	15	16 KON
5/17 - 22	17	18	19	20 CITY OF WHITMIRE CO	21	22	23 JAYROE
5/24 - 29	24	25 JUDGE KOON MEMORIAL DAY OFFICE CLOSED	26	27	28	29	30 HALFACRE
5/31 - 6/5	31	Jun 1	2	3	4	5	6

ROA 0317

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
 AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

May 2015

May 2015							June 2015						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
1	4	5	6	7	8	9	7	1	2	3	4	5	6
10	11	12	13	14	15	16	14	15	16	17	18	19	20
17	18	19	20	21	22	23	21	22	23	24	25	26	27
24	25	26	27	28	29	30	28	29	30				
31													

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	Apr 26	27	28	29	30	May 1	2
							JOHNSON
4/25 - 5/1							
	3	4	5	6	7	8	9
5/3 - 8	JOHNSON						LAIL
	10	11	12	13	14	15	16
5/10 - 15	LAIL						KOON
	17	18	19	20	21	22	23
5/17 - 22	KOON			CITY OF WHITMIRE CO			JAYROE
	24	25	26	27	28	29	30
5/24 - 29	JAYROE	JUDGE KOON MEMORIAL DAY OFFICE CLOSED					HALFACRE
	31	Jun 1	2	3	4	5	6
5/31 - 6/5	HALFACRE						

Jayroe 00119

ROA 0318

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
WHITMIRE CITY COURT EVERY 3RD. WEDNESDAY, STARTING AT 3:00 P.M.
AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

4/29/2015 4:21 PM

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

June 2015

June 2015

Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

July 2015

Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
	May 31	Jun 1	2	3	4	5	6 JOHNSON
May 31 - Jun 6							
	7 JOHNSON	8	9	10	11	12	13 LAIL
Jun 7 - 13							
	14 LAIL	15	16	17 CITY OF WHITMIRE- 3	18	19	20 KOON
Jun 14 - 20							
	21 KOON	22	23	24	25	26	27 JAYROE
Jun 21 - 27							
	28 JAYROE	29	30	Jul 1	2	3	4
Jun 28 - Jul 4							

Jayroe 00162

ROA 0319

1 COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 2 WHITMIRE CITY COURT EVERY 3RD. WEDNESDAY, STARTING AT 3:00 P.M.
 AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

4/29/2015 4:21 PM

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

June 2015

June 2015

Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

July 2015

Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
May 31 - Jun 6	May 31	Jun 1	2	3	4	5	6 JOHNSON
Jun 7 - 13	7 JOHNSON	8	9	10	11	12	13 LAB
Jun 14 - 20	14 LAB	15	16	17 CITY OF WHITMIRE- 3	18	19	20 KOON
Jun 21 - 27	21 KOON	22	23	24	25	26	27 JAYROE
Jun 28 - Jul 4	28 JAYROE	29	30	Jul 1	2	3	4

Jayroe 00120

ROA 0320

1 COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 2 WHITMIRE CITY COURT EVERY 3RD. WEDNESDAY, STARTING AT 3:00 P.M.
 AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

4/29/2015 4:21 PM

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

July 2015

July 2015							August 2015						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
5	6	7	8	9	10	11	2	3	4	5	6	7	8
12	13	14	15	16	17	18	9	10	11	12	13	14	15
19	20	21	22	23	24	25	16	17	18	19	20	21	22
26	27	28	29	30	31		23	24	25	26	27	28	29
							30	31					

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Jun 28	29	30	Jul 1	2	3	4	HALFACRE
5	6	7	8	9	10	11	JOHNSON
HALFACRE	KOON OFFICE CLOSED-4TH Q						
12	13	14	15	16	17	18	LAIL
JOHNSON			CITY OF WHITMIRE- 3				
19	20	21	22	23	24	25	KOON
LAIL							
26	27	28	29	30	31	Aug 1	
KOON							

Jayroe 00163

ROA 0321

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
 AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE

4/29/2015 4:41 PM

NEWBERRY COUNTY WEEKEND & EVENING ON-CALL MAGISTRATE

July 2015

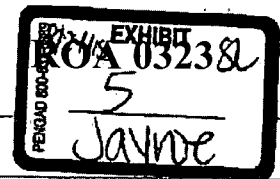
July 2015							August 2015						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
5	6	7	8	9	10	11	2	3	4	5	6	7	8
12	13	14	15	16	17	18	9	10	11	12	13	14	15
19	20	21	22	23	24	25	16	17	18	19	20	21	22
26	27	28	29	30	31		23	24	25	26	27	28	29
							30	31					

	Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
Jun 28 - Jul 4	Jun 28	29	30	Jul 1	2	3	4 HALFACRE
Jul 5 - 11	5 HALFACRE	6 KON OFFICE CLOSED-ATHC	7	8	9	10	11 JOHNSON
Jul 12 - 18	12 JOHNSON	13	14	15 CITY OF WHITMIRE-3	16	17	18 LAIL
Jul 19 - 25	19 LAIL	20	21	22	23	24	25 KON
Jul 26 - Aug 1	26 KON	27	28	29	30	31	Aug 1

Jayroe 00121

ROA 0322

COUNTY COURT EVERY WEDNESDAY, STARTING AT 9:00 A.M.
 WHITMIRE CITY COURT EVERY 3RD WEDNESDAY, STARTING AT 3:00 P.M.
 AFTER HOURS ON-CALL DURING WEEK-CHIEF JAYROE



Jan 8.5

Mon 15.5

T 15.5

W 15.5

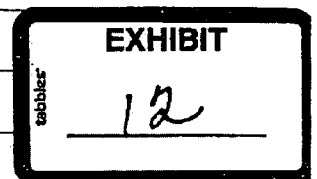
T 15.5

F 7.0

77.5

x 50

3875





COUNTY OF NEWBERRY

OFFICE OF THE COUNTY COUNCIL
COURTHOUSE ANNEX, 1309 COLLEGE STREET
POST OFFICE BOX 156
NEWBERRY, SOUTH CAROLINA 29108

VOICE: (803) 321-2100
FAX: (803) 321-2102
WEB: www.newberrycounty.net

COUNCIL MEMBERS:

HENRY H. LIVINGSTON, III, CHAIRMAN
KIRKSEY KOON, VICE-CHAIRMAN
JOHN E. CALDWELL
WILLIAM D. WALDROP
LESLIE (LES) HIPP
STEVEN C. STOCKMAN
SCOTT CAIN

COUNTY ADMINISTRATOR:
WAYNE ADAMS

COUNTY ATTORNEY:
A.J. TOTHACER, JR.
CLERK TO COUNCIL:
LAURIE N. RENWICK

August 21, 2014

Senator Ronnie Cromer
SC Senate District 18
311 Gressette Building
Columbia, SC 29201

Re: Compensation, hours and location of magistrates [SC Code Section 22-1-10 (A)]

Dear Senator Cromer:

In accordance with Code Section 22-1-10 (A), Newberry County Council is requesting changes in the "number of full-time and part-time magistrate positions available in the county, the number of work hours required by each position, the compensation for each position, and the area of the county to which each position is assigned."

Within the parameters of this statute, County Council requests that its full complement of magistrates be changed to include only full-time magistrates, with their terms commencing on May 1, 2015, or at whatever soonest date may be in keeping with the statute. The County understands that the statutory formula currently provides for Newberry County to have three full-time magistrates. Council wishes to discontinue the use of any part-time magistrates. The payment of salaries for the three full-time magistrates would be as required under Code Section 22-8-40, et seq., and their location assignments would be as determined by the magistrate thereafter designated as chief magistrate.

EXHIBIT

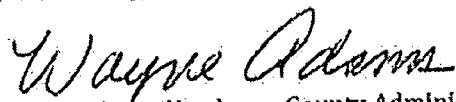
15

ROA 0325

This letter is written more than 90 days prior to the commencement of magistrates' terms, as required under Code Section 22-1-10 (A), and we request that you act upon it according to the appropriate timing.

Thank you for your kind attention to this request.

With best regards,

A handwritten signature in cursive script that reads "Wayne Adams".

Wayne Adams, Newberry County Administrator

Cc: Newberry County Council
Newberry County Magistrates

STATE OF SOUTH CAROLINA

IN THE COURT OF APPEALS

APPEAL FROM NEWBERRY COUNTY
DECISION OF NEWBERRY COUNTY COUNCIL
Appellate Case Number 2016-000305

Arthur L. Jayroe Jr.,

Appellant,

Vs.

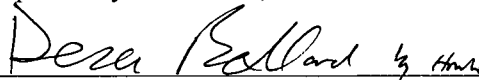
Newberry County,

Respondent.

CERTIFICATE OF COUNSEL

The undersigned hereby certifies that the Final Record on Appeal contains all material proposed to be included by any of the parties and not any other material.

Respectfully submitted,



Desa Ballard

Harvey M. Watson III

BALLARD & WATSON

Post Office Box 6338

West Columbia, South Carolina 29171

Telephone 803.796.9299

desab@desaballard.com

harvey@desaballard.com

ATTORNEYS FOR APPELLANT

September 12, 2016

RECEIVED

SEP 19 2016

SC Court of Appeals