

STATE OF SOUTH CAROLINA  
In the Court of Appeals

**RECEIVED**  
JUN 12 2018  
SC Court of Appeals

APPEAL FROM NEWBERRY COUNTY  
Court of Common Pleas

The Honorable Thomas A. Russo, Circuit Court Judge

Appellate Case No. 2017-002429.

Desa Ballard.....Appellant/Respondent,

v.

Newberry County .....Respondent/Appellant.

**RECORD ON APPEAL  
VOLUME III OF III**

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McCulloch and Schillaci, Attorneys at Law  
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APPELLANT/RESPONDENT

Boyd B. Nicholson, Jr.  
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Post Office Box 2048  
Greenville, South Carolina 29602

ATTORNEY FOR RESPONDENT/APPELLANT

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**Volume III of III**

**Defendant's Trial Exhibit**

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**Certificate of Counsel**

079^18. Adams email to Lail 8-  
28-2014 (2).pdf

**From:** Wayne Adams wadams@newberrycounty.net  
**Subject:** back pay consideration and future reporting of work hours  
**Date:** August 28, 2014 at 12:17 PM  
**To:** rlail@newberrycounty.net

**ROA 00988**

**Cc:** Jay Tothacer jtothacer@newberrycounty.net, Buddy Livingston blivingston@newberry.k12.sc.us, Kirkaey Koon kirkseykoon@yahoo.com, Les Hipp hippcouncil@bellsouth.net, Les Hipp lchipp@bellsouth.net, Steve Stockman stevestockman@att.net, Scott Cain scain@newberrycounty.net, Bill Waldrop dbwaldrop20@gmail.com, John Caldwell johnpatcaldwell@att.net, Laurie Renwick lrenwick@newberrycounty.net, Debbie Cromer dcromer@newberrycounty.net, Dirk Aydlette daydlette@gsblaw.net

---

Dear Judge Lail:

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



**ROA 00988**



ROA 00989

## 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 HIPP  
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 Richard C. Lail  
1723 Broad River Road  
Pomaria, SC 29126

**Sent by Email and US Mail**

Dear Judge Lail:

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 \$17,989.50, 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

ROA 00989

reduction. Moreover, as of the date of this memorandum, the County is discontinuing any such payments.

ROA 00990

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

ROA 00990

STATE OF SOUTH CAROLINA )  
 )  
NEWBERRY COUNTY )

**GENERAL RELEASE**

ROA 00991

Richard C. Lail ("Mr. Lail") and Newberry County ("the County"), hereby agree as follows:

1. For and in consideration of the gross payment of wages to Mr. Lail in the amount of Seventeen Thousand and Nine Hundred and Eighty-nine and 50/100 Dollars (\$17,989.50), the net amount of which is Eleven Thousand and Six Hundred and Seventy-nine and 85/100 Dollars (\$11,679.85), the undersigned Mr. Lail 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. Lail 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. Lail's appointment and service as a Newberry County Magistrate. Mr. Lail 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. Lail. Mr. Lail 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. Lail 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. Lail has set his hand and seal below.

\_\_\_\_\_  
Richard C. Lail

Date: \_\_\_\_\_

ROA 00991

PART-TIME MAGISTRATE WEEKLY TIME REPORT ROA 00992

**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 00992

080^18. Adams email to Lail 8-  
28-2014.pdf

**From:** Wayne Adams wadams@newberrycounty.net  
**Subject:** back pay consideration and future reporting of work hours  
**Date:** August 28, 2014 at 12:17 PM

**ROA 00994**

**To:** rjail@newberrycounty.net

**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, Steve Stockman stevestockman@att.net, Scott Cain scain@newberrycounty.net, Bill Waldrop dbwaldrop20@gmail.com, John Caldwell johnpatcaldwell@att.net, Laurie Renwick lrenwick@newberrycounty.net, Debbie Cromer dcromer@newberrycounty.net, Dirk Aydlette daydlette@gsblaw.net

---

Dear Judge Lail:

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

**ROA 00994**



ROA 00995

## COUNTY OF NEWBERRY

OFFICE OF THE COUNTY COUNCIL  
POST OFFICE BOX 156  
NEWBERRY, SOUTH CAROLINA 29108

(803)321-2100  
FAX: (803)321-2102

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JOHN E. CALDWELL  
WILLIAM D. WALDROP  
LESLIE HIPP  
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 Richard C. Lail  
1723 Broad River Road  
Pomaria, SC 29126

**Sent by Email and US Mail**

Dear Judge Lail:

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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

ROA 00995

reduction. Moreover, as of the date of this memorandum, the County is discontinuing any such payments.

ROA 00996

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

ROA 00996

STATE OF SOUTH CAROLINA )  
 )  
NEWBERRY COUNTY )

GENERAL RELEASE

ROA 00997

Richard C. Lail ("Mr. Lail") and Newberry County ("the County"), hereby agree as follows:

1. For and in consideration of the gross payment of wages to Mr. Lail in the amount of Seventeen Thousand and Nine Hundred and Eighty-nine and 50/100 Dollars (\$17,989.50), the net amount of which is Eleven Thousand and Six Hundred and Seventy-nine and 85/100 Dollars (\$11,679.85), the undersigned Mr. Lail 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. Lail 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. Lail's appointment and service as a Newberry County Magistrate. Mr. Lail 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. Lail. Mr. Lail 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. Lail 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. Lail has set his hand and seal below.

\_\_\_\_\_  
Richard C. Lail

Date: \_\_\_\_\_

ROA 00997

PART-TIME MAGISTRATE WEEKLY TIME REPORT ROA 00998

**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.**

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Wed \_\_\_\_ / \_\_\_\_ Hours worked: \_\_\_\_\_

Thur \_\_\_\_ / \_\_\_\_ Hours worked: \_\_\_\_\_

Fri \_\_\_\_ / \_\_\_\_ Hours worked: \_\_\_\_\_

Sat \_\_\_\_ / \_\_\_\_ Hours worked: \_\_\_\_\_

TOTAL HOURS WORKED: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

ROA 00998

081^19. Adams email to Jayroe  
8-28-2014 (2).pdf

From: Wayne Adams wadams@newberrycounty.net  
Subject: back pay consideration and future reporting of work hours  
Date: August 28, 2014 at 12:11 PM

**ROA 01000**

To: ajayroe@jayroecpa.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 Aydlette daydlette@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

**ROA 01000**



ROA 01001

## COUNTY OF NEWBERRY

OFFICE OF THE COUNTY COUNCIL  
POST OFFICE BOX 156  
NEWBERRY, SOUTH CAROLINA 29108

(803)321-2100  
FAX: (803)321-2102

**COUNCILMEN:**

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KIRKSEY KOON, VICE-CHAIRMAN  
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WILLIAM D. WALDROP  
LESLIE HIPP  
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

ROA 01001

reduction. Moreover, as of the date of this memorandum, the County is discontinuing any such payments.

**ROA 01002**

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

**ROA 01002**

STATE OF SOUTH CAROLINA )  
 )  
NEWBERRY COUNTY )

ROA 01003

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: \_\_\_\_\_

ROA 01003

PART-TIME MAGISTRATE WEEKLY TIME REPORT

ROA 01004

**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: \_\_\_\_\_

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Thur \_\_\_\_ / \_\_\_\_ Hours worked: \_\_\_\_\_

Fri \_\_\_\_ / \_\_\_\_ Hours worked: \_\_\_\_\_

Sat \_\_\_\_ / \_\_\_\_ Hours worked: \_\_\_\_\_

TOTAL HOURS WORKED: \_\_\_\_\_

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

ROA 01004

082^19. Adams email to Jayroe  
8-28-2014.pdf

From: Wayne Adams wadams@newberrycounty.net  
Subject: back pay consideration and future reporting of work hours  
Date: August 28, 2014 at 12:11 PM

ROA 01006

To: ajayroe@jayroecpa.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 Aydlette daydlette@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

ROA 01006



ROA 01007

## COUNTY OF NEWBERRY

OFFICE OF THE COUNTY COUNCIL  
POST OFFICE BOX 156  
NEWBERRY, SOUTH CAROLINA 29108

(803)321-2100  
FAX: (803)321-2102

**COUNCILMEN:**

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KIRKSEY KOON, VICE-CHAIRMAN  
JOHN E. CALDWELL  
WILLIAM D. WALDROP  
LESLIE HIPP  
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**

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ROA 01007


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**ROA 01008**

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

**ROA 01008**

STATE OF SOUTH CAROLINA )  
NEWBERRY COUNTY )

ROA 01009

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: \_\_\_\_\_

ROA 01009

PART-TIME MAGISTRATE WEEKLY TIME REPORT

ROA 01010

**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 01010

ROA 01011

083^2. Adams email to Cain 8-  
28-2014.pdf

ROA 01011

**Subject:** back pay consideration and future reporting of work hours

**ROA 01012**

**Date:** Thursday, August 28, 2014 at 12:17:23 PM Eastern Daylight Time

**From:** Wayne Adams

**To:** rlail@newberrycounty.net

**CC:** Jay Tothacer, Buddy Livingston, Kirksey Koon, Les Hipp, Les Hipp, Steve Stockman, Scott Cain, Bill Waldrop, John Caldwell, Laurie Renwick, Debbie Cromer, Dirk Aydlette

**Category:** County Council

Dear Judge Lail:

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

**ROA 01012**



ROA 01013

## COUNTY OF NEWBERRY

OFFICE OF THE COUNTY COUNCIL  
POST OFFICE BOX 156  
NEWBERRY, SOUTH CAROLINA 29108

(803)321-2100  
FAX: (803)321-2102

COUNCIL MEN:  
HENRY H. LIVINGSTON, III, CHAIRMAN  
KIRKSEY KOON, VICE-CHAIRMAN  
JOHN E. CALDWELL  
WILLIAM D. WALDROP  
LESLIE HIPPI  
STEVE STOCKMAN  
SCOTT CAIN

WAYNE ADAMS  
COUNTY ADMINISTRATOR  
A. J. TOTHAUER, JR.  
COUNTY ATTORNEY  
LAURIE N. RENWICK  
CLERK TO COUNCIL

August 28, 2014

The Honorable Richard C. Lail  
1723 Broad River Road  
Pomaria, SC 29126

**Sent by Email and US Mail**

Dear Judge Lail:

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 \$17,989.50, 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

ROA 01013

ROA 01014

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

ROA 01014

STATE OF SOUTH CAROLINA )  
 )  
NEWBERRY COUNTY )

**GENERAL RELEASE**

Richard C. Lail ("Mr. Lail") and Newberry County ("the County"), hereby agree as follows:

1. For and in consideration of the gross payment of wages to Mr. Lail in the amount of Seventeen Thousand and Nine Hundred and Eighty-nine and 50/100 Dollars (\$17,989.50), the net amount of which is Eleven Thousand and Six Hundred and Seventy-nine and 85/100 Dollars (\$11,679.85), the undersigned Mr. Lail 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. Lail 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. Lail's appointment and service as a Newberry County Magistrate. Mr. Lail 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. Lail. Mr. Lail 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. Lail 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. Lail has set his hand and seal below.

\_\_\_\_\_  
Richard C. Lail

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: \_\_\_\_\_

084^2. Adams email to Jayroe 8  
-28-2014.pdf

**Laurie Renwick**

**ROA 01018**

**From:** Wayne Adams <wadams@newberrycounty.net>  
**Sent:** Thursday, August 28, 2014 12:11 PM  
**To:** ajayroe@jayroecpa.com  
**Cc:** Jay Tothacer; Buddy Livingston; Kirksey Koon; Les Hipp; Les Hipp; Scott Cain; Steve Stockman; Bill Waldrop; John Caldwell; Laurie Renwick; Debbie Cromer; Dirk Aydlette  
**Subject:** back pay consideration and future reporting of work hours  
**Attachments:** Judge Jayroe On-Call Pay.pdf

Judge Jayroe:

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



ROA 01019

## 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 HIPP  
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

ROA 01019

reduction. Moreover, as of the date of this memorandum, the County is discontinuing any such payments.

ROA 01020

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

ROA 01020

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: \_\_\_\_\_

085^20. Adams email to Koon 8  
-28-2014 (2).pdf

**From:** Wayne Adams wadams@newberrycounty.net  
**Subject:** back pay consideration and future reporting requirements  
**Date:** August 28, 2014 at 12:14 PM  
**To:** bkoon@backroads.net  
**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 Aydlette daydlette@gsblaw.net

**ROA 01024**

Dear Judge Koon:

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 

**ROA 01024**



ROA 01025

## 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 HIPP  
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 Barry S. Koon  
1419 CR Koon Highway  
Newberry, SC 29108

**Sent by Email and US Mail**

Dear Judge Koon:

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 \$5,142.72, 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

ROA 01025

reduction. Moreover, as of the date of this memorandum, the County is discontinuing any such payments.

ROA 01026

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

ROA 01026

STATE OF SOUTH CAROLINA )  
 )  
NEWBERRY COUNTY )

**GENERAL RELEASE**

Barry S. Koon ("Mr. Koon") and Newberry County ("the County"), hereby agree as follows:

1. For and in consideration of the gross payment of wages to Mr. Koon in the amount of Five Thousand and One Hundred and Forty-two and 72/100 Dollars (\$5,142.72), the net amount of which is Three Thousand and Four Hundred and Sixty-nine and 46/100 Dollars (\$3,469.46), the undersigned Mr. Koon 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. Koon 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. Koon's appointment and service as a Newberry County Magistrate. Mr. Koon 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. Koon. Mr. Koon 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. Koon 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. Koon has set his hand and seal below.

\_\_\_\_\_  
Barry S. Koon

Date: \_\_\_\_\_

PART-TIME MAGISTRATE WEEKLY TIME REPORT ROA 01028

**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 01028

086^20. Adams email to Koon 8  
-28-2014.pdf

From: **Wayne Adams** wadams@newberrycounty.net  
Subject: **back pay consideration and future reporting requirements**  
Date: August 28, 2014 at 12:14 PM  
To: bkoon@backroads.net  
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 Aydlette daydlette@gsblaw.net


**ROA 01030**

Dear Judge Koon:

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 

**ROA 01030**



ROA 01031

## 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 HIPPI  
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 Barry S. Koon  
1419 CR Koon Highway  
Newberry, SC 29108

**Sent by Email and US Mail**

Dear Judge Koon:

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 \$5,142.72, 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

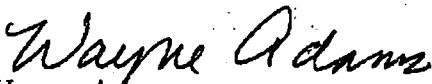
ROA 01031

reduction. Moreover, as of the date of this memorandum, the County is discontinuing any such payments. ROA 01032

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

ROA 01032

STATE OF SOUTH CAROLINA )  
 )  
NEWBERRY COUNTY )

GENERAL RELEASE

Barry S. Koon ("Mr. Koon") and Newberry County ("the County"), hereby agree as follows:

1. For and in consideration of the gross payment of wages to Mr. Koon in the amount of Five Thousand and One Hundred and Forty-two and 72/100 Dollars (\$5,142.72), the net amount of which is Three Thousand and Four Hundred and Sixty-nine and 46/100 Dollars (\$3,469.46), the undersigned Mr. Koon 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. Koon 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. Koon's appointment and service as a Newberry County Magistrate. Mr. Koon 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. Koon. Mr. Koon 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. Koon 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. Koon has set his hand and seal below.

\_\_\_\_\_  
Barry S. Koon

Date: \_\_\_\_\_

PART-TIME MAGISTRATE WEEKLY TIME REPORT

ROA 01034

**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 01034

087^3. Adams email to Cain 8-  
28-2014.pdf

Wednesday, January 28, 2015 at 4:41:26 PM Eastern Standard Time

---

**Subject:** back pay consideration and future reporting requirements  
**Date:** Thursday, August 28, 2014 at 12:14:51 PM Eastern Daylight Time

**ROA 01036**

**From:** Wayne Adams

**To:** bkoon@backroads.net

**CC:** Jay Tothacer, Buddy Livingston, Kirksey Koon, Les Hipp, Les Hipp, Scott Cain, Steve Stockman, Bill Waldrop, John Caldwell, Laurie Renwick, Debbie Cromer, Dirk Aydlette

**Category:** County Council

Dear Judge Koon:

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

**ROA 01036**

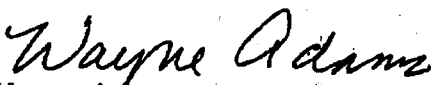
Page 1 of 1

reduction. Moreover, as of the date of this memorandum, the County is discontinuing such payments. ROA 01037

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

ROA 01037

STATE OF SOUTH CAROLINA )  
 )  
NEWBERRY COUNTY. )

GENERAL RELEASE

Barry S. Koon ("Mr. Koon") and Newberry County ("the County"), hereby agree as follows:

1. For and in consideration of the gross payment of wages to Mr. Koon in the amount of Five Thousand and One Hundred and Forty-two and 72/100 Dollars (\$5,142.72), the net amount of which is Three Thousand and Four Hundred and Sixty-nine and 46/100 Dollars (\$3,469.46), the undersigned Mr. Koon 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. Koon 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. Koon's appointment and service as a Newberry County Magistrate. Mr. Koon 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. Koon. Mr. Koon 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. Koon 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. Koon has set his hand and seal below.

\_\_\_\_\_  
Barry S. Koon

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: \_\_\_\_\_

088^4. Adams email to Jayroe 8  
-28-2014.pdf

**Subject:** back pay consideration and future reporting of work hours  
**Date:** Thursday, August 28, 2014 at 12:11:23 PM Eastern Daylight Time  
**From:** Wayne Adams

**ROA 01041**

**To:** ajayroe@jayroecpa.com

**CC:** Jay Tothacer, Buddy Livingston, Kirksey Koon, Les Hipp, Les Hipp, Scott Cain, Steve Stockman, Bill Waldrop, John Caldwell, Laurie Renwick, Debbie Cromer, Dirk Aydlette

**Category:** County Council

**Judge Jayroe:**

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

**ROA 01041**



ROA 01042

## 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 HIPP  
STEVE STOCKMAN  
SCOTT CAIN

WAYNE ADAMS  
COUNTY ADMINISTRATOR  
A. J. TOTIACER, 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

ROA 01042

reduction. Moreover, as of the date of this memorandum, the County is discontinuing on-call payments. ROA 01043

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

ROA 01043

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: \_\_\_\_\_

089^4. Adams email to Tothacer  
8-28-2014.pdf

Laurie Renwick

ROA 01047

**From:** Kirksey Koon <kirkseykoon@yahoo.com>  
**Sent:** Tuesday, February 03, 2015 11:29 AM  
**To:** Laurie Renwick  
**Subject:** Fwd: back pay consideration and future reporting requirements  
**Attachments:** Judge koon On Call Pay.pdf; Untitled attachment 00101.htm

Sent from my iPad

Begin forwarded message:

**From:** Wayne Adams <wadams@newberrycounty.net>  
**Date:** August 28, 2014 at 12:14:51 PM EDT  
**To:** [bkoon@backroads.net](mailto:bkoon@backroads.net)  
**Cc:** Jay Tothacer <[jtothacer@newberrycounty.net](mailto:jtothacer@newberrycounty.net)>, Buddy Livingston <[blivingston@newberry.k12.sc.us](mailto:blivingston@newberry.k12.sc.us)>, Kirksey Koon <[kirkseykoon@yahoo.com](mailto:kirkseykoon@yahoo.com)>, Les Hipp <[hippcouncil@bellsouth.net](mailto:hippcouncil@bellsouth.net)>, Les Hipp <[lchipp@bellsouth.net](mailto:lchipp@bellsouth.net)>, Scott Cain <[scain@newberrycounty.net](mailto:scain@newberrycounty.net)>, Steve Stockman <[stevestockman@att.net](mailto:stevestockman@att.net)>, Bill Waldrop <[dbwaldrop20@gmail.com](mailto:dbwaldrop20@gmail.com)>, John Caldwell <[johnpatcaldwell@att.net](mailto:johnpatcaldwell@att.net)>, Laurie Renwick <[lrenwick@newberrycounty.net](mailto:lrenwick@newberrycounty.net)>, Debbie Cromer <[dcromer@newberrycounty.net](mailto:dcromer@newberrycounty.net)>, Dirk Aydlette <[daydlette@gsblaw.net](mailto:daydlette@gsblaw.net)>  
**Subject:** back pay consideration and future reporting requirements

Dear Judge Koon:

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



ROA 01048

## 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 HIPP  
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 Barry S. Koon  
1419 CR Koon Highway  
Newberry, SC 29108

**Sent by Email and US Mail**

Dear Judge Koon:

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 \$5,142.72, 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

ROA 01048

reduction. Moreover, as of the date of this memorandum, the County is discontinuing any such payments. **ROA 01049**

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*  
Wayne Adams  
County Administrator

cc: County Council

STATE OF SOUTH CAROLINA )  
 )  
NEWBERRY COUNTY )

ROA 01050

GENERAL RELEASE

Barry S. Koon ("Mr. Koon") and Newberry County ("the County"), hereby agree as follows:

1. For and in consideration of the gross payment of wages to Mr. Koon in the amount of Five Thousand and One Hundred and Forty-two and 72/100 Dollars (\$5,142.72), the net amount of which is Three Thousand and Four Hundred and Sixty-nine and 46/100 Dollars (\$3,469.46), the undersigned Mr. Koon 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. Koon 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. Koon's appointment and service as a Newberry County Magistrate. Mr. Koon 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. Koon. Mr. Koon 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. Koon 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. Koon has set his hand and seal below.

\_\_\_\_\_  
Barry S. Koon

Date: \_\_\_\_\_

ROA 01050

PART-TIME MAGISTRATE WEEKLY TIME REPORT **ROA 01051**

**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 01051**

090^18. Adams email to  
Tothacer 9-4-2014.pdf

**Jay Tothacer**

ROA 01053

**From:** Wayne Adams <wadams@newberrycounty.net>  
**Sent:** Thursday, September 04, 2014 5:18 PM  
**To:** Jay Tothacer  
**Cc:** Buddy Livingston  
**Subject:** Fwd: Letter of 8/2/2014 to Jayroe

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Jay,

Please respond to Judge Jayroe's request for information.

Let me know if I can help.

Thanks.

Wayne

Begin forwarded message:

**From:** Buddy Livingston <BLivingston@newberry.k12.sc.us>  
**Subject:** Fwd: Letter of 8/2/2014 to Jayroe  
**Date:** September 4, 2014 at 4:51:03 PM EDT  
**To:** Wayne Adams <wadams@newberrycounty.net>

Sent from my iPhone

Begin forwarded message:

**From:** Arthur Jayroe <AJayroe@jayroecpa.com>  
**Date:** September 4, 2014 at 2:54:47 PM EDT  
**To:** "BLIVINGSTON@NEWBERRY.K12.SC.US" <BLIVINGSTON@NEWBERRY.K12.SC.US>  
**Subject:** FW: Letter of 8/2/2014 to Jayroe

Dear Buddy,

On Tuesday I emailed the attached request to Mr. Adams at the request of SC Court Administration. In order for us to properly administrate the summary court system in the County we need dialogue. Since his letter made it very clear as to what is action was, I would assume the requested information should be readily available. As of today I have not received his response. I would appreciate any help you could give me in obtaining this information.

Thanks,

Art

**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:

**ROA 01054**

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

**ROA 01054**

091^19. Adams email to  
Tothacer 9-6-2014.pdf

**From:** Wayne Adams <wadams@newberrycounty.net>  
**Sent:** Saturday, September 06, 2014 3:28 AM  
**To:** Jay county attorney  
**Subject:** Re: Jayroe response

Looks good.

Sent from my iPhone

> On Sep 5, 2014, at 11:45 AM, "Jay county attorney" <jtothacer@newberrycounty.net> wrote:

>

> Please see attached. Feel free to modify it as you see fit --, but I believe the response is straightforward and places the stipend payment squarely on him.

>

> Jay

> <Judge Jayroe response 2014.docx>

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 Totmacher if you have any additional questions or concern.

Sincerely

Wayne Adams

**DRAFT**

092^17. Adams email to Jayroe  
9-9-2014 (2).pdf

From: Wayne Adams wadams@newberrycounty.net  
Subject: Fwd: Send data from MFP07347960 [Scan To\_Wayne] 09/09/2014 15:26  
Date: September 9, 2014 at 5:55 PM  
To: ajayroe@jayroecpa.com  
Cc: Buddy Livingston blivingston@newberry.k12.sc.us

---

**ROA 01059**

Judge Jayroe:

The attached is being sent to you by regular mail as well.

Wayne

**ROA 01059**

From: Toshiba eStudio 5540C toshiba@newberrycounty.net  
Subject: Send data from MFP07347960 [Scan To\_Wayne] 09/09/2014 15:26  
Date: September 9, 2014 at 3:31 PM  
To: wadams@newberrycounty.net

ROA 01060

Scanned from MFP07347960  
PUBLIC TEMPLATE GROUP  
Scan To\_Wayne

Date: 09/09/2014 15:26  
Pages: 1  
Resolution: 200x200 DPI



## 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 E. LIVINGSTON, III, CHAIRMAN  
KIRKSEY KOON, VICE-CHAIRMAN  
JOHN E. CALDWELL  
WILLIAM D. WALDROP  
LESLIE (LES) HUFF  
STEVEN C. STOCKMAN  
SCOTT CAIN

COUNTY ADMINISTRATOR:  
WAYNE ADAMS  
COUNTY ATTORNEY:  
A.J. TOTHAZER, JR.  
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 Tothazer if you have any additional questions or concern.

Sincerely,

ROA 01060

*Wayne Adams*  
Wayne Adams

ROA 01061

ROA 01061

ROA 01062

093^17. Adams email to Jayroe  
9-9-2014.pdf

ROA 01062

From: Wayne Adams wadams@newberrycounty.net  
Subject: Fwd: Send data from MFP07347060 [Scan To\_Wayne] 09/09/2014 15:26  
Date: September 9, 2014 at 5:55 PM  
To: ajayroe@jayroecpa.com  
Cc: Buddy Livingston blivingston@newberry.k12.sc.us

---

**ROA 01063**

Judge Jayroe:

The attached is being sent to you by regular mail as well.

Wayne

**ROA 01063**

From: Toshiba eStudio 5540C toshiba@newberrycounty.net  
Subject: Send data from MFP07347960 [Scan To\_Wayne] 09/09/2014 15:26  
Date: September 9, 2014 at 3:31 PM  
To: wadams@newberrycounty.net

ROA 01064

Scanned from MFP07347960  
PUBLIC TEMPLATE GROUP  
Scan To\_Wayne

Date: 09/09/2014 15:26  
Pages: 1  
Resolution: 200x200 DPI



## COUNTY OF NEWBERRY

OFFICE OF THE COUNTY COUNCIL  
COURTHOUSE ANNEX, 1300 COLLEGE STREET  
POST OFFICE BOX 155  
NEWBERRY, SOUTH CAROLINA 29108

VOICE: (803) 321-2100  
FAX: (803) 321-2102  
Web: [www.newberrycounty.net](http://www.newberrycounty.net)

COUNCIL MEMBERS:  
HENRY B. LIVINGSTON, III, CHAIRMAN  
KERSEY KOON, VICE-CHAIRMAN  
JOHN E. CALDWELL  
WILLIAM D. WALDROP  
LESLIE (LES) HIFT  
STEVEN C. STOCKMAN  
SCOTT CAIN

COUNTY ADMINISTRATOR:  
WAYNE ADAMS  
COUNTY ATTORNEY:  
A.J. TOTHAECR, JR.  
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 Tothacrer if you have any additional questions or concern.

Sincerely,

ROA 01064

*Wayne Adams*  
Wayne Adams

**ROA 01065**

**ROA 01065**

094^20. Adams email to  
Renwick 9-9-2014.pdf

**Jay Tothacer**

**ROA 01067**

**From:** Wayne Adams <wadams@newberrycounty.net>  
**Sent:** Tuesday, September 09, 2014 9:32 AM  
**To:** Laurie Renwick  
**Cc:** Jay Tothacer  
**Subject:** Please print this on letterhead (without watermark)  
**Attachments:** Judge Jayroe response 2014.docx

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

**ROA 01067**

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 Tottraccer if you have any additional questions or concern.

Sincerely

Wayne Adams

**DRAFT**

095^14. Koon email to Adams 9  
-30-2014 (2).pdf

From: bkoon@backroads.net  
Subject: Re: Re: Release  
Date: September 30, 2014 at 3:58 PM  
To: Wayne Adams wadams@newberrycounty.net

---

**ROA 01070**

Is it possible to pick that check up this week? Thanks for your assistance.  
Barry

---  
Sent from my mobile via Mail.Ru

**ROA 01070**

096^14. Koon email to Adams 9  
-30-2014.pdf

From: **Wayne Adams** wadams@newberrycounty.net  
Subject: Re: Release  
Date: September 30, 2014 at 3:47 PM  
To: bkoon@backroads.net

**ROA 01072**

---

Judge Koon,

I did receive your release. The payment will be included (as a separate check) with your pay envelope next Friday. Does that work for you?

Best,

Wayne

**ROA 01072**

097^15. Adams email to Koon 9  
-30-2014 (2).pdf

From: Wayne Adams wadams@newberrycounty.net  
Subject: Re: Release  
Date: September 30, 2014 at 3:47 PM  
To: bkoon@backroads.net

**ROA 01074**

---

Judge Koon,

I did receive your release. The payment will be included (as a separate check) with your pay envelope next Friday. Does that work for you?

Best,

Wayne

**ROA 01074**

098^15. Adams email to Koon 9  
-30-2014.pdf

From: bkoon@backroads.net  
Subject: Release  
Date: September 30, 2014 at 3:09 PM  
To: Wayne Adams wadams@newberrycounty.net

---

**ROA 01076**

Good afternoon Just checking to see if you received release I dropped off at your office last Tuesday and if so when will check be issued?  
Thanks! Bary

Sent from my mobile via Mail.Ru

**ROA 01076**

099^16. Koon email to Adams 9  
-30-2014 (2).pdf

From: bkoon@backroads.net  
Subject: Release  
Date: September 30, 2014 at 3:09 PM  
To: Wayne Adams wadams@newberrycounty.net

---

**ROA 01078**

Good afternoon just checking to see if you received release I dropped off at your office last Tuesday and if so when will check be issued?  
Thanks! Barry

Sent from my mobile via Mail.Ru

**ROA 01078**

100^16. Koon email to Adams 9  
-30-2014.pdf

From: Wayne Adams wadams@newberrycounty.net  
Subject: Fwd: Transfer of Equipment to Newberry Co. from SC Judicial  
Date: October 28, 2014 at 7:38 PM  
To: Jay Tothacer jtothacer@newberrycounty.net

---

**ROA 01080**

Let's discuss this on Wednesday.

Sent from my iPhone

**ROA 01080**

101^12. Adams email to  
Tothacer 10-28-2014 (2).pdf

**From:** Wayne Adams wadams@newberrycounty.net  
**Subject:** Fwd: Transfer of Equipment to Newberry Co. from SC Judicial  
**Date:** October 28, 2014 at 7:38 PM  
**To:** Jay Tothacer jtothacer@newberrycounty.net

---

**ROA 01082**

Let's discuss this on Wednesday.

Sent from my iPhone

**ROA 01082**

ROA 01083

102^12. Adams email to  
Tothacer 10-28-2014.pdf

ROA 01083

**From:** Arthur Jayroe AJayroe@jayroecpa.com  
**Subject:** Transfer of Equipment to Newberry Co. from SC Judicial  
**Date:** October 28, 2014 at 6:07 PM  
**To:** wadams@newberrycounty.net  
**Cc:** Buddy Livingston BLivingston@newberry.k12.sc.us

**ROA 01084**

Hello Wayne,

On 10/20/2014 I forwarded a Transfer of Equipment to Newberry County (Magistrate Court) report to the administration for execution.

I also requested notification once the report had been signed & signed.

Please inform me as to the status of the report.

Thank you for your assistance,

Art Jayroe

**ROA 01084**

103^13. Jayroe email to Adams  
10-28-2014 (2).pdf

From: Arthur Jayroe AJayroe@jayroecpa.com  
Subject: Transfer of Equipment to Newberry Co. from SC Judicial  
Date: October 28, 2014 at 6:07 PM  
To: wadams@newberrycounty.net  
Cc: Buddy Livingston BLivingston@newberry.k12.sc.us

**ROA 01086**

Hello Wayne,

On 10/20/2014 I forwarded a Transfer of Equipment to Newberry County (Magistrate Court) report to the administration for execution.

I also requested notification once the report had been signed & signed.

Please inform me as to the status of the report.

Thank you for your assistance,

Art Jayroe

**ROA 01086**

104^13. Jayroe email to Adams  
10-28-2014.pdf

From: bkoon@backroads.net  
Subject: Re: Re: Release  
Date: September 30, 2014 at 3:58 PM  
To: Wayne Adams wadams@newberrycounty.net

---

**ROA 01088**

Is it possible to pick that check up this week? Thanks for your assistance.  
Barry

--  
Sent from my mobile via Mail.Ru

**ROA 01088**

From: Wayne Adams wadams@newberrycounty.net  
Subject: Re: Release  
Date: September 30, 2014 at 3:47 PM  
To: bkoon@backroads.net

**ROA 01089**

---

Judge Koon,

I did receive your release. The payment will be included (as a separate check) with your pay envelope next Friday. Does that work for you?

Best,

Wayne

**ROA 01089**

From: Wayne Adams wadams@newberrycounty.net  
Subject: Re: Release  
Date: September 30, 2014 at 3:47 PM  
To: bkoon@backroads.net

---

**ROA 01090**

Judge Koon,

I did receive your release. The payment will be included (as a separate check) with your pay envelope next Friday. Does that work for you?

Best,

Wayne

**ROA 01090**

**From:** bkoon@backroads.net  
**Subject:** Release  
**Date:** September 30, 2014 at 3:09 PM  
**To:** Wayne Adams wadams@newberrycounty.net

---

**ROA 01091**

Good afternoon just checking to see if you received release I dropped off at your office last Tuesday and if so when will check be issued?  
Thanks! Barry

Sent from my mobile via Mail.Ru

**ROA 01091**

From: bkoon@backroads.net  
Subject: Release  
Date: September 30, 2014 at 3:09 PM  
To: Wayne Adams wadams@newberrycounty.net

---

**ROA 01092**

Good afternoon just checking to see if you received release I dropped off at your office last Tuesday and if so when will check be issued?  
Thanks! Barry

Sent from my mobile via Mail.Ru

**ROA 01092**

From: Wayne Adams wadams@newberrycounty.net  
Subject: Fwd: Transfer of Equipment to Newberry Co. from SC Judicial  
Date: October 28, 2014 at 7:38 PM  
To: Jay Tothacer jtothacer@newberrycounty.net

---

**ROA 01093**

Let's discuss this on Wednesday.

Sent from my iPhone

**ROA 01093**

From: **Wayne Adams** wadams@newberrycounty.net  
Subject: Fwd: Transfer of Equipment to Newberry Co. from SC Judicial  
Date: October 28, 2014 at 7:38 PM  
To: Jay Tothacer jtothacer@newberrycounty.net

---

**ROA 01094**

Let's discuss this on Wednesday.

Sent from my iPhone

**ROA 01094**

**From:** Arthur Jayroe AJayroe@jayroecpa.com  
**Subject:** Transfer of Equipment to Newberry Co. from SC Judicial  
**Date:** October 28, 2014 at 6:07 PM  
**To:** wadams@newberrycounty.net  
**Cc:** Buddy Livingston BLivingston@newberry.k12.sc.us

**ROA 01095**

Hello Wayne,

On 10/20/2014 I forwarded a Transfer of Equipment to Newberry County (Magistrate Court) report to the administration for execution.

I also requested notification once the report had been signed & signed.

Please inform me as to the status of the report.

Thank you for your assistance,

Art Jayroe

**ROA 01095**

From: Arthur Jayroe AJayroe@jayroecpa.com  
Subject: Transfer of Equipment to Newberry Co. from SC Judicial  
Date: October 28, 2014 at 6:07 PM  
To: wadams@newberrycounty.net  
Cc: Buddy Livingston BLivingston@newberry.k12.sc.us

---

**ROA 01096**

Hello Wayne,

On 10/20/2014 I forwarded a Transfer of Equipment to Newberry County (Magistrate Court) report to the administration for execution.

I also requested notification once the report had been signed & signed.

Please inform me as to the status of the report.

Thank you for your assistance,

Art Jayroe

**ROA 01096**

105^21. Adams email to  
Tothacer 10-28-2014.pdf

Jay Tothacer

ROA 01098

---

**From:** Wayne Adams <wadams@newberrycounty.net>  
**Sent:** Tuesday, October 28, 2014 7:38 PM  
**To:** Jay Tothacer  
**Subject:** Fwd: Transfer of Equipment to Newberry Co. from SC Judicial

Let's discuss this on Wednesday.

Sent from my iPhone

Begin forwarded message:

**From:** Arthur Jayroe <AJayroe@jayroecpa.com>  
**Date:** October 28, 2014 at 6:06:51 PM EDT  
**To:** "wadams@newberrycounty.net" <wadams@newberrycounty.net>  
**Cc:** Buddy Livingston <BLivingston@newberry.k12.sc.us>  
**Subject:** Transfer of Equipment to Newberry Co. from SC Judicial

Hello Wayne,

On 10/20/2014 I forwarded a Transfer of Equipment to Newberry County (Magistrate Court) report to the administration for execution.

I also requested notification once the report had been signed & signed.

Please inform me as to the status of the report.

Thank you for your assistance,

Art Jayroe

ROA 01098

106^8. Jayroe email to Adams  
10-28-2014.pdf

**Arthur Jayroe**

**ROA 01100**

**From:** Arthur Jayroe  
**Sent:** Tuesday, October 28, 2014 6:07 PM  
**To:** 'wadams@newberrycounty.net'  
**Cc:** 'Buddy Livingston'  
**Subject:** Transfer of Equipment to Newberry Co. from SC Judicial

Hello Wayne,

On 10/20/2014 I forwarded a Transfer of Equipment to Newberry County (Magistrate Court) report to the administration for execution.

I also requested notification once the report had been signed & signed.

Please inform me as to the status of the report.

Thank you for your assistance,

Art Jayroe

000401

**ROA 01100**

107^11. Adams email to Jayroe  
10-29-2014 (2).pdf

From: Wayne Adams wadams@newberrycounty.net  
Subject: Re: Transfer of Equipment to Newberry Co. from SC Judicial  
Date: October 29, 2014 at 11:07 AM  
To: Arthur Jayroe AJayroe@jayroecpa.com  
Cc: Buddy Livingston BLivingston@newberry.k12.sc.us, Jay Tothacer jtothacer@newberrycounty.net

---

**ROA 01102**

Judge Jayroe:

I do not feel comfortable accepting the property listed without knowing where each of the items is located. There are names scribbled by some items on the list, but not by others. However, I need the documentation to state the physical location of each item. I also need explanations of what happened to items numbered 14488 (where is the property tag for this item?) and 14615. Also, item number 14250 was not on the list of property being transferred, but the tag for it is appended to the bottom of the list. This is more than \$25,000 worth of equipment, and two of the missing items account for more than 10% of the total value. It would also be helpful if you provided a typed letter indicating that you are in accord with the locations and answers requested.

Best,

Wayne



**ROA 01102**

ARTHUR L. JAYROE JR.  
NEWBERRY COUNTY MAGISTRATE  
P. O. BOX 95  
LITTLE MOUNTAIN, SC 29075

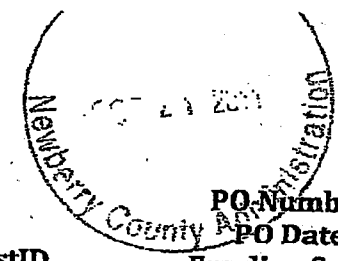
10/20/2014

To: NB7 Co Administration  
From: Art Jayroe, chief magistrate  
Re: Transfer of Judicial Property

please have the appropriate person  
sign date & return the enclosed  
document to the SC Judicial Dept  
at the address shown on page 5/5.  
Also, please inform me once this  
document has been signed & mailed.  
Thank you.

Very truly yours,  
Art Jayroe

# Transfer of Equipment to Newberry County (Magistrate Court)



ROA 01104

Paste SCJD Property Tag in this column.	Property Tag	Serial Number	Description	CustID	PO Number/ PO Date/ Funding Source
	14454	JXY00L1	LT, Dell Latitude E6500	NEWBERRY	100161 09/22/2009 Hollings IV \$ 2,299.00
	14455	1ZY00L1	LT, Dell Latitude E6500	NEWBERRY	100161 09/22/2009 Hollings IV \$ 2,299.00
	14475	VNBC99Y0SV	Printer, HP Laserjet P3015dn	NEWBERRY	100178 10/13/2009 Hollings IV \$ 928.00
	14476	VNBC99Y0S9	Printer, HP Laserjet P3015dn	NEWBERRY	100178 10/13/2009 Hollings IV \$ 928.00
	14477	VNBC99Y0TD	Printer, HP Laserjet P3015dn	NEWBERRY	100178 10/13/2009 Hollings IV \$ 928.00

Paste SCJD Property Tag in this column.	Property Tag	Serial Number	Description	CustID	PO Number/ PO Date/ Funding Source
PROPERTY OF SOUTH CAROLINA JUDICIAL DEPARTMENT 14478	14478	VNBC99Y0XY	Printer, HP Laserjet P3015dn	NEWBERRY	100178 10/13/2009 Hollings IV \$ 928.00
PROPERTY OF SOUTH CAROLINA JUDICIAL DEPARTMENT 14483	14483	6HWZ0L1	LT, Dell Latitude E6500	NEWBERRY	100176 10/13/2009 Hollings IV \$ 2,267.00
PROPERTY OF SOUTH CAROLINA JUDICIAL DEPARTMENT 14484	14484	7HWZ0L1	LT, Dell Latitude E6500	NEWBERRY	100176 10/13/2009 Hollings IV \$ 2,267.00
PROPERTY OF SOUTH CAROLINA JUDICIAL DEPARTMENT 14485	14485	4KQ3JK1	PC, Dell Optiplex 760	NEWBERRY	100176 10/13/2009 Hollings IV \$ 1,691.00
PROPERTY OF SOUTH CAROLINA JUDICIAL DEPARTMENT 14485M	14485M	CN-0D319J-74261- 991-915L	Monitor, Dell 1908FP	NEWBERRY	100176 10/13/2009 Hollings IV \$
PROPERTY OF SOUTH CAROLINA JUDICIAL DEPARTMENT 14486	14486	4KP5JK1	PC, Dell Optiplex 760	NEWBERRY	100176 10/13/2009 Hollings IV \$ 1,691.00

ROA 01105

Paste SCJD  
Property Tag in  
this Column.

Property  
Tag

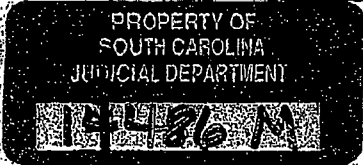
Serial  
Number

Description

CustID

PO Number/  
PO Date/  
Funding Source

ROA 01106



14486M

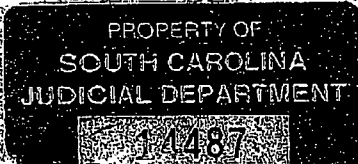
CN-0D319J-74261-  
991-8FFI2

Monitor, Dell 1908FP

NEWBERRY

100176  
10/13/2009  
Hollings IV  
\$

*Case*



14487

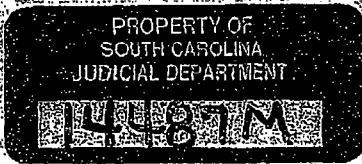
4KQ4JK1

PC, Dell Optiplex 760

NEWBERRY

100176  
10/13/2009  
Hollings IV  
\$ 1,691.00

*Judy*



14487M

CN-0D319J-74261-  
991-912L

Monitor, Dell 1908FP

NEWBERRY

100176  
10/13/2009  
Hollings IV  
\$

*Judy*

14488

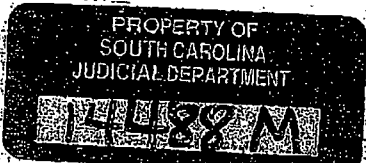
4KP4JK1

PC, Dell Optiplex 760

NEWBERRY

100176  
10/13/2009  
Hollings IV  
\$ 1,691.00

~~There has been replaced by County~~



14488M

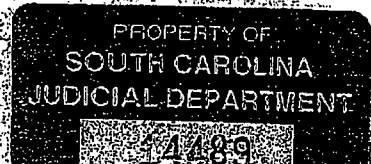
CN-0D319J-74261-  
991-939L

Monitor, Dell 1908FP

NEWBERRY

100176  
10/13/2009  
Hollings IV  
\$

*There*



14489

4KP3JK1

PC, Dell Optiplex 760

NEWBERRY

100176  
10/13/2009  
Hollings IV  
\$ 1,691.00

*Court II*

Paste SCJD  
Property Tag in  
this column.

Property  
Tag

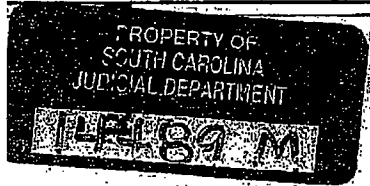
Serial  
Number

Description

CustID

PO Number/  
PO Date/  
Funding Source

ROA 01107



14489M

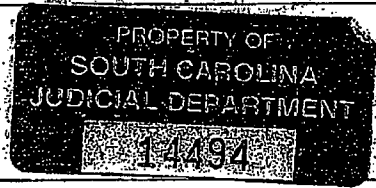
CN-OD319J-74261-  
991-8EPL

Monitor, Dell 1908FP

NEWBERRY

100176  
10/13/2009  
Hollings IV  
\$

*cont II*



14494

DLTZ0L1

LT, Dell Latitude  
E6500

NEWBERRY

100175  
10/13/2009  
Hollings IV  
\$ 2,267.00

*[Handwritten signature]*

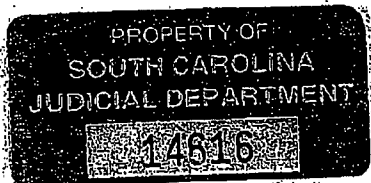
14615

117186

Scanner, Fujitsu  
fi-6130

NEWBERRY

4600017084  
12/30/2009  
Hollings IV  
\$ 1,109.00



14616

117588

Scanner, Fujitsu  
fi-6130

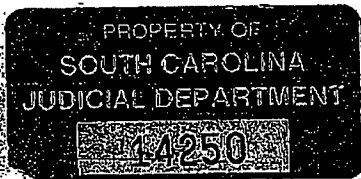
NEWBERRY

4600017084  
12/30/2009  
Hollings IV  
\$ 1,109.00

Number of Assets Transferred:

21

\$ 25,784.00



*HP  
laserjet  
p4015  
[Signature]*

*Judy*

Paste SCJD  
Property Tag in  
this column.

Property  
Tag

Serial  
Number

Description

CustID

PO Number/  
PO Date/  
Funding Source

RC#A01108

The above item(s) were ordered and placed in the Newberry County Courts by the SC Judicial Department. These item(s) can now be permanently transferred to the County. Please remove the SCJD Property Tag from each item and tape it in the first column of this report. **Sign and return the report (with decals) to: SC Judicial Department, ATTN: Karen Brown, 1015 Sumter Street, Suite 246, Columbia, SC 29201.**

On behalf of Newberry County, I accept ownership of the items listed above.

Signature

Date

Name and Title (Printed)

108^11. Adams email to Jayroe  
10-29-2014.pdf

From: **Wayne Adams** wadams@newberrycounty.net  
Subject: Re: Transfer of Equipment to Newberry Co. from SC Judicial  
Date: October 29, 2014 at 11:07 AM  
To: Arthur Jayroe AJayroe@jayroecpa.com  
Cc: Buddy Livingston BLivingston@newberry.k12.sc.us, Jay Tothacer jtothacer@newberrycounty.net

---

**ROA 01110**

Judge Jayroe:

I do not feel comfortable accepting the property listed without knowing where each of the items is located. There are names scribbled by some items on the list, but not by others. However, I need the documentation to state the physical location of each item. I also need explanations of what happened to items numbered 14488 (where is the property tag for this item?) and 14615. Also, item number 14250 was not on the list of property being transferred, but the tag for it is appended to the bottom of the list. This is more than \$25,000 worth of equipment, and two of the missing items account for more than 10% of the total value. It would also be helpful if you provided a typed letter indicating that you are in accord with the locations and answers requested.

Best,

Wayne



**ROA 01110**

ROA 01111

ARTHUR L. JAYROE JR.  
NEWBERRY COUNTY MAGISTRATE  
P. O. BOX 95  
LITTLE MOUNTAIN, SC 29075

10/20/2014

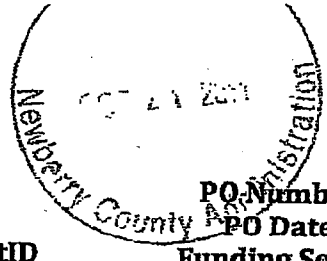
To: NBT Co Administration  
From: Art Jayroe, chief magistrate  
Re: Transfer of Judicial Property

please have the appropriate person  
sign date & return the enclosed  
document to the SC Judicial Dept  
at the address shown on page 5/5.  
Also, please inform me once this  
document has been signed & mailed.  
Thank you.

Very truly yours,  
Art Jayroe

ROA 01111

# Transfer of Equipment to Newberry County (Magistrate Court)



ROA 01112

Paste SCJD  
Property Tag in  
this column.

Property Tag      Serial Number      Description      CustID      PO Number/  
PO Date/  
Funding Source

**EWBERRY**

*Magistrate Court*

	14454	JXY00L1	LT, Dell Latitude E6500	NEWBERRY	100161 09/22/2009 Hollings IV \$ 2,299.00
	14455	1ZY00L1 <i>AS</i>	LT, Dell Latitude E6500	NEWBERRY	100161 09/22/2009 Hollings IV \$ 2,299.00
	14475	VNBC99Y0SV <i>[Signature]</i>	Printer, HP Laserjet P3015dn	NEWBERRY	100178 10/13/2009 Hollings IV \$ 928.00
	14476	VNBC99Y0S9 <i>[Signature]</i>	Printer, HP Laserjet P3015dn	NEWBERRY	100178 10/13/2009 Hollings IV \$ 928.00
	14477	VNBC99Y0TD	Printer, HP Laserjet P3015dn	NEWBERRY	100178 10/13/2009 Hollings IV \$ 928.00

Paste SCJD Property Tag in this column.	Property Tag	Serial Number	Description	CustID	PO Number/ PO Date/ Funding Source
PROPERTY OF SOUTH CAROLINA JUDICIAL DEPARTMENT 14478	14478	VNBC99YOXY	Printer, HP Laserjet P3015dn	NEWBERRY	100178 10/13/2009 Hollings IV \$ 928.00
PROPERTY OF SOUTH CAROLINA JUDICIAL DEPARTMENT 14483	14483	6HWZ0L1	LT, Dell Latitude E6500	NEWBERRY	100176 10/13/2009 Hollings IV \$ 2,267.00
PROPERTY OF SOUTH CAROLINA JUDICIAL DEPARTMENT 14484	14484	7HWZ0L1	LT, Dell Latitude E6500	NEWBERRY	100176 10/13/2009 Hollings IV \$ 2,267.00
PROPERTY OF SOUTH CAROLINA JUDICIAL DEPARTMENT 14485	14485	4KQ3JK1	PC, Dell Optiplex 760	NEWBERRY	100176 10/13/2009 Hollings IV \$ 1,691.00
PROPERTY OF SOUTH CAROLINA JUDICIAL DEPARTMENT 14485M	14485M	CN-0D319J-74261- 991-915L	Monitor, Dell 1908FP	NEWBERRY	100176 10/13/2009 Hollings IV \$
PROPERTY OF SOUTH CAROLINA JUDICIAL DEPARTMENT 14486	14486	4KP5JK1	PC, Dell Optiplex 760	NEWBERRY	100176 10/13/2009 Hollings IV \$ 1,691.00

ROA 0113

Paste SCJD Property Tag in this column.	Property Tag	Serial Number	Description	CustID	PO Number/ PO Date/ Funding Source	
PROPERTY OF SOUTH CAROLINA JUDICIAL DEPARTMENT 14486M	14486M	CN-0D319J-74261- 991-8FFI7	Monitor, Dell 1908FP	NEWBERRY	100176 10/13/2009 Hollings IV \$	
PROPERTY OF SOUTH CAROLINA JUDICIAL DEPARTMENT 14487M	14487	4KQ4JK1	PC, Dell Optiplex 760	NEWBERRY	100176 10/13/2009 Hollings IV \$ 1,691.00	
PROPERTY OF SOUTH CAROLINA JUDICIAL DEPARTMENT 14487M	14487M	CN-0D319J-74261- 991-912L	Monitor, Dell 1908FP	NEWBERRY	100176 10/13/2009 Hollings IV \$	
	14488	4KP4JK1	PC, Dell Optiplex 760	NEWBERRY	100176 10/13/2009 Hollings IV \$ 1,691.00	<i>Treas replaced by County</i>
PROPERTY OF SOUTH CAROLINA JUDICIAL DEPARTMENT 14488M	14488M	CN-0D319J-74261- 991-939L	Monitor, Dell 1908FP	NEWBERRY	100176 10/13/2009 Hollings IV \$	<i>Treas</i>
PROPERTY OF SOUTH CAROLINA JUDICIAL DEPARTMENT 14489M	14489	4KP3JK1	PC, Dell Optiplex 760	NEWBERRY	100176 10/13/2009 Hollings IV \$ 1,691.00	<i>cont II</i>

ROA 01114

Paste SCJD  
Property Tag in  
this column.

Property  
Tag

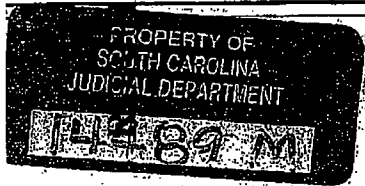
Serial  
Number

Description

CustID

PO Number/  
PO Date/  
Funding Source

ROA 01115



14489M

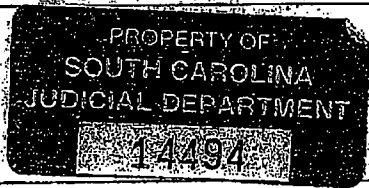
CN-0D319J-74261-  
991-8EPL

Monitor, Dell 1908FP

NEWBERRY

100176  
10/13/2009  
Hollings IV  
\$

*cont II*



14494

DLTZ0L1

LT, Dell Latitude  
E6500

NEWBERRY

100175  
10/13/2009  
Hollings IV  
\$ 2,267.00

*Ron*

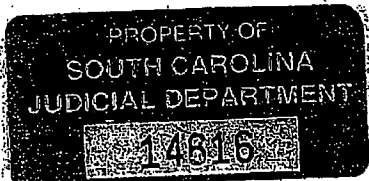
14615

117186

Scanner, Fujitsu  
fi-6130

NEWBERRY

4600017084  
12/30/2009  
Hollings IV  
\$ 1,109.00



14616

117588

Scanner, Fujitsu  
fi-6130

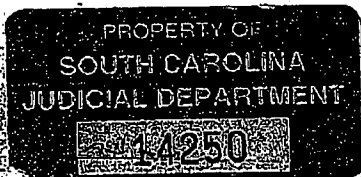
NEWBERRY

4600017084  
12/30/2009  
Hollings IV  
\$ 1,109.00

Number of Assets Transferred:

21

\$ 25,784.00



*HP  
laserjet  
P4015 X  
R...*

*Judy*

Paste SCJD  
Property Tag in  
this column.

Property  
Tag

Serial  
Number

Description

CustID

PO Number/  
PO Date/  
Funding Source

The above item(s) were ordered and placed in the Newberry County Courts by the SC Judicial Department. These item(s) can now be permanently transferred to the County. Please remove the SCJD Property Tag from each item and tape it in the first column of this report. **Sign and return the report (with decals) to: SC Judicial Department, ATTN: Karen Brown, 1015 Sumter Street, Suite 246, Columbia, SC 29201.**

On behalf of Newberry County, I accept ownership of the items listed above.

Signature

Date

Name and Title (Printed)

RC001116

109^22. Adams email to Jayroe  
10-29-2014.pdf

**From:** Wayne Adams <wadams@newberrycounty.net>  
**Sent:** Wednesday, October 29, 2014 11:07 AM  
**To:** Arthur Jayroe  
**Cc:** Buddy Livingston; Jay Tothacer  
**Subject:** Re: Transfer of Equipment to Newberry Co. from SC Judicial  
**Attachments:** Judge Jayroe Equipment Letter.pdf; Untitled attachment 00063.htm

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Judge Jayroe:

I do not feel comfortable accepting the property listed without knowing where each of the items is located. There are names scribbled by some items on the list, but not by others. However, I need the documentation to state the physical location of each item. I also need explanations of what happened to items numbered 14488 (where is the property tag for this item?) and 14615. Also, item number 14250 was not on the list of property being transferred, but the tag for it is appended to the bottom of the list. This is more than \$25,000 worth of equipment, and two of the missing items account for more than 10% of the total value. It would also be helpful if you provided a typed letter indicating that you are in accord with the locations and answers requested.

Best,

Wayne

ARTHUR L. JAYROE JR.  
NEWBERRY COUNTY MAGISTRATE  
P. O. BOX 95  
LITTLE MOUNTAIN, SC 29075

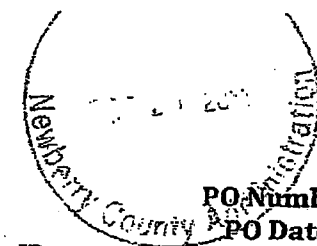
10/20/2014

To: NBT CS Administration  
From: Art Jayroe, Chief Magistrate  
Re: Transfer of Judicial Property

please have the appropriate person  
sign date & return the enclosed  
document to the SC Judicial Dept  
at the address shown on page 5/5.  
Also, please inform me once this  
document has been signed & mailed.  
Thank you.

Very truly yours,  
Art Jayroe

# Transfer of Equipment to Newberry County (Magistrate Court)



ROA 01120

ROA 01120

Paste SCJD  
Property Tag in  
this column.

PO Number/  
PO Date/  
Funding Source

## NEWBERRY

### Magistrate Court

Property Tag	Serial Number	Description	CustID	PO Number/ PO Date/ Funding Source
	14454 JXY00L1	LT, Dell Latitude E6500	NEWBERRY	100161 09/22/2009 Hollings IV \$ 2,299.00
	14455 1ZY00L1	LT, Dell Latitude E6500	NEWBERRY	100161 09/22/2009 Hollings IV \$ 2,299.00
	14475 VNBC99Y0SV	Printer, HP Laserjet P3015dn	NEWBERRY	100178 10/13/2009 Hollings IV \$ 928.00
	14476 VNBC99Y0S9	Printer, HP Laserjet P3015dn	NEWBERRY	100178 10/13/2009 Hollings IV \$ 928.00
	14477 VNBC99Y0TD	Printer, HP Laserjet P3015dn	NEWBERRY	100178 10/13/2009 Hollings IV \$ 928.00

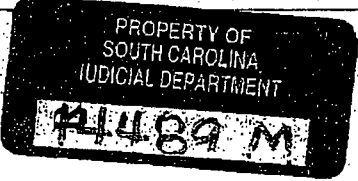
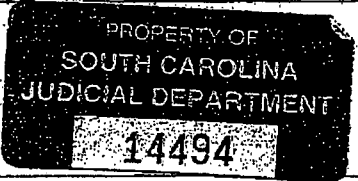
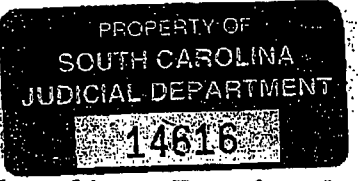
Paste SCJD Property Tag in this column.	Property Tag	Serial Number	Description	CustID	PO Number/ PO Date/ Funding Source
PROPERTY OF SOUTH CAROLINA JUDICIAL DEPARTMENT 14478	14478	VNBC99Y0XY	Printer, HP Laserjet P3015dn	NEWBERRY	100178 10/13/2009 Hollings IV \$ 928.00
PROPERTY OF SOUTH CAROLINA JUDICIAL DEPARTMENT 14483	14483	6HWZ0L1	LT, Dell Latitude E6500	NEWBERRY	100176 10/13/2009 Hollings IV \$ 2,267.00
PROPERTY OF SOUTH CAROLINA JUDICIAL DEPARTMENT 14484	14484	7HWZ0L1	LT, Dell Latitude E6500	NEWBERRY	100176 10/13/2009 Hollings IV \$ 2,267.00
PROPERTY OF SOUTH CAROLINA JUDICIAL DEPARTMENT 14485	14485	4KQ3JK1	PC, Dell Optiplex 760	NEWBERRY	100176 10/13/2009 Hollings IV \$ 1,691.00
PROPERTY OF SOUTH CAROLINA JUDICIAL DEPARTMENT 14485M	14485M	CN-0D319J-74261- 991-915L	Monitor, Dell 1908FP	NEWBERRY	100176 10/13/2009 Hollings IV \$
PROPERTY OF SOUTH CAROLINA JUDICIAL DEPARTMENT 14486	14486	4KP5JK1	PC, Dell Optiplex 760	NEWBERRY	100176 10/13/2009 Hollings IV \$ 1,691.00

ROA 01121

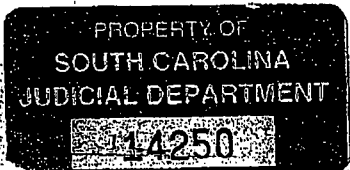
Paste SCJD Property Tag in this column.	Property Tag	Serial Number	Description	CustID	PO Number/ PO Date/ Funding Source
PROPERTY OF SOUTH CAROLINA JUDICIAL DEPARTMENT 14486 M	14486M	CN-0D319J-74261- 991-8FFI2 <i>Lage</i>	Monitor, Dell 1908FP	NEWBERRY	100176 10/13/2009 Hollings IV \$
PROPERTY OF SOUTH CAROLINA JUDICIAL DEPARTMENT 14487	14487	4KQ4JK1 <i>Judy</i>	PC, Dell Optiplex 760	NEWBERRY	100176 10/13/2009 Hollings IV \$ 1,691.00
PROPERTY OF SOUTH CAROLINA JUDICIAL DEPARTMENT 14487M	14487M	CN-0D319J-74261- 991-912L <i>Judy</i>	Monitor, Dell 1908FP	NEWBERRY	100176 10/13/2009 Hollings IV \$
	14488	4KP4JK1	PC, Dell Optiplex 760	NEWBERRY	100176 10/13/2009 Hollings IV \$ 1,691.00
PROPERTY OF SOUTH CAROLINA JUDICIAL DEPARTMENT 14488 M	14488M	CN-0D319J-74261- 991-939L <i>Trena</i>	Monitor, Dell 1908FP	NEWBERRY	100176 10/13/2009 Hollings IV \$
PROPERTY OF SOUTH CAROLINA JUDICIAL DEPARTMENT 14489	14489	4KP3JK1 <i>part II</i>	PC, Dell Optiplex 760	NEWBERRY	100176 10/13/2009 Hollings IV \$ 1,691.00

ROA 01122

~~4KQ4JK1~~ *Trena has replaced by County*

Paste SCJD Property Tag in this column.	Property Tag	Serial Number	Description	CustID	PO Number/ PO Date/ Funding Source
	14489M	CN-0D319J-74261- 991-8EPL	Monitor, Dell 1908FP <i>cont II</i>	NEWBERRY	100176 10/13/2009 Hollings IV \$
	14494	DLTZ0L1	LT, Dell Latitude E6500 <i>Ron</i>	NEWBERRY	100175 10/13/2009 Hollings IV \$ 2,267.00
	14615	117186	Scanner, Fujitsu fi-6130	NEWBERRY	4600017084 12/30/2009 Hollings IV \$ 1,109.00
	14616	117588	Scanner, Fujitsu fi-6130	NEWBERRY	4600017084 12/30/2009 Hollings IV \$ 1,109.00
<b>Number of Assets Transferred:</b>		21			\$ 25,784.00

ROA 01123



*HP  
laserjet  
P4015  
Printer*

*Judy*

Paste SCJD  
Property Tag in  
this column.

Property  
Tag

Serial  
Number

Description

CustID

PO Number/  
PO Date/  
Funding Source

The above item(s) were ordered and placed in the Newberry County Courts by the SC Judicial Department. These item(s) can now be permanently transferred to the County. Please remove the SCJD Property Tag from each item and tape it in the first column of this report. **Sign and return the report (with decals) to: SC Judicial Department, ATTN: Karen Brown, 1015 Sumter Street, Suite 246, Columbia, SC 29201.**

On behalf of Newberry County, I accept ownership of the items listed above.

Signature

Date

Name and Title (Printed)

RC/A01124

110^10. Jayroe email to Adams  
11-4-2014.pdf

**Arthur Jayroe**

**ROA 01126**

**From:** Arthur Jayroe  
**Sent:** Tuesday, November 04, 2014 2:58 PM  
**To:** 'wadams@newberrycounty.net'  
**Cc:** 'Riser, Judy'; 'Buddy Livingston'; 'Jay Tothacer'; 'dsnyder@newberrycounty.net'  
**Subject:** RE: Transfer of Equipment to Newberry Co. from SC Judicial

Wayne,

I am informed by Dylan Snyder of county IT that item 14488 had a bad motherboard and was disposed of. The equipment was apparently removed from the court by Zack along with the tag. You or I can note on the report that it had a bad motherboard, that it was replaced by the county & disposed of. The procedure as I outlined meets with the approval of judicial for this item.

Item 14615 is no longer functioning & it was found in our file storage area. The tag is at your office

I informed judicial about your concern for item 14250. I have emailed you a separate transfer report for this item which judicial sent to me.

Tag 14454 is at the Peak magistrate's office.

Tags 14455 & 14478 are at the Little Mtn. magistrate's office.

Tags 14477 & 14483 are at the Whitmire magistrate's office.

Best,

Art Jayroe

---

**From:** Wayne Adams [<mailto:wadams@newberrycounty.net>]  
**Sent:** Wednesday, October 29, 2014 11:07 AM  
**To:** Arthur Jayroe  
**Cc:** Buddy Livingston; Jay Tothacer  
**Subject:** Re: Transfer of Equipment to Newberry Co. from SC Judicial

Judge Jayroe:

I do not feel comfortable accepting the property listed without knowing where each of the items is located. There are names scribbled by some items on the list, but not by others. However, I need the documentation to state the physical location of each item. I also need explanations of what happened to items numbered 14488 (where is the property tag for this item?) and 14615. Also, item number 14250 was not on the list of property being transferred, but the tag for it is appended to the bottom of the list. This is more than \$25,000 worth of equipment, and two of the missing items account for more than 10% of the total value. It would also be helpful if you provided a typed letter indicating that you are in accord with the locations and answers requested.

Best,

Wayne

660403  
**ROA 01126**

On Oct 28, 2014, at 6:06 PM, Arthur Jayroe <[AJayroe@jayroecpa.com](mailto:AJayroe@jayroecpa.com)> wrote:

ROA 01127

Hello Wayne,

On 10/20/2014 I forwarded a Transfer of Equipment to Newberry County (Magistrate Court) report to the administration for execution.

I also requested notification once the report had been signed & signed.

Please inform me as to the status of the report.

Thank you for your assistance,

Art Jayroe

111^9. Jayroe email to Adams  
11-4-2014.pdf

**Arthur Jayroe**

**ROA 01129**

---

**From:** Arthur Jayroe  
**Sent:** Tuesday, November 04, 2014 9:23 AM  
**To:** 'wadams@newberrycounty.net'  
**Cc:** 'Buddy Livingston'; 'Jay Tothacer'  
**Subject:** Judicial Property to County  
**Attachments:** CMS PROPERTY 2.PDF

Wayne,  
Judicial inadvertently left the item off the list. They forwarded a separate report see attached.  
Art Jayroe

660402  
**ROA 01129**

112^10. Adams email to  
Tothacer 11-5-2014 (2).pdf

From: Wayne Adams wadams@newberrycounty.net  
Subject: Thursday  
Date: November 5, 2014 at 8:27 PM  
To: Jay Tothacer jtothacer@newberrycounty.net

---

**ROA 01131**

Jay,

On Thursday we need to deal with the Judge Jayroe equipment matter, and also the Republic/Allied contract.

Wayne

**ROA 01131**

113^10. Adams email to  
Tothacer 11-5-2014.pdf

From: Wayne Adams wadams@newberrycounty.net  
Subject: Thursday  
Date: November 5, 2014 at 8:27 PM  
To: Jay Tothacer jtothacer@newberrycounty.net

---

**ROA 01133**

Jay,

On Thursday we need to deal with the Judge Jayroe equipment matter, and also the Republic/Allied contract.

Wayne

**ROA 01133**

114^9. Tothacer email to Adams  
11-5-2014 (2).pdf

From: Jay Tothacer [tothacer@newberrycounty.net]  
Subject: RE: Thursday  
Date: November 5, 2014 at 8:44 PM  
To: Wayne Adams [wadams@newberrycounty.net]

ROA 01135 

104

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

ROA 01135

115^9. Tothacer email to Adams  
11-5-2014.pdf

**From:** Jay Tothacer jtothacer@newberrycounty.net  
**Subject:** RE: Thursday  
**Date:** November 5, 2014 at 8:44 PM  
**To:** Wayne Adams wadams@newberrycounty.net

---

ROA 01137 

104

Sent from my Verizon Wireless 4G LTE smartphone

----- Original message -----

ROA 01137

116^23. Adams email to  
Tothacer 11-18-2014.pdf

**Jay Tothacer**

**ROA 01139**

**From:** Wayne Adams <wadams@newberrycounty.net>  
**Sent:** Tuesday, November 18, 2014 8:55 AM  
**To:** Jay Tothacer  
**Subject:** Fwd: time sheet

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

FYI

Begin forwarded message:

**From:** Wayne Adams <wadams@newberrycounty.net>  
**Subject:** time sheet  
**Date:** November 17, 2014 at 12:15:47 PM EST  
**To:** rlail@newberrycounty.net  
**Cc:** Debbie Cromer <dcromer@newberrycounty.net>

Judge Lail:

Your time sheet for the dates November 7-9 have been brought to my attention.

Please know that the County will not normally pay part-time magistrates beyond their weekly scheduled hours; nor will we normally pay more than 4 hours per weekend call pay.

Exceptions to this rule must be sufficiently documented, with documentation stating the reasons for the unusually high workload. The County, in its own discretion, will determine whether the documentation is sufficient.

We do not pay mileage for travel to and from the place where an employee, magistrate or other appointed official reports to work.

Please let me know if you have any questions.

Sincerely,

Wayne Adams, Newberry County Administrator

**ROA 01139**

117^1. Adams email to Hill 11-  
19-2014 (2).pdf

**Karen Brehmer**

**ROA 01141**

**From:** Wayne Adams <wadams@newberrycounty.net>  
**Sent:** Wednesday, November 19, 2014 3:18 PM  
**To:** Wanda Hill  
**Cc:** Debbie Cromer; Karen Brehmer; Jay Tothacer; Dirk Aydlette  
**Subject:** pay for part-time magistrates

Wanda,

Yesterday, I sent an email to Judge Lail concerning his time sheet, which indicated 9 hrs., 8 hrs., and 8 hrs., respectively for November 7, 8, and 9 (Friday, Saturday, Sunday). He also made a request for mileage reimbursement to and from the detention center on those days.

My email to him stated that we normally would NOT 1) pay part-time magistrates to work more than their regular weekly hours during the workweek, 2) pay any part-time magistrate for more than four hours per weekend for on call duty, 3) pay mileage to anyone driving to and from his or her assigned work station.

These directives may only be overridden by extraordinary circumstances, the demonstration of which will be the responsibility of the part-time magistrate. Acceptance of the presented documentation would be entirely at the County's discretion.

Thanks.

Wayne

*From Karen  
1/29*

*9*

118^1. Adams email to Hill 11-  
19-2014.pdf

**From:** Wayne Adams <wadams@newberrycounty.net>  
**Sent:** Wednesday, November 19, 2014 3:18 PM  
**To:** Wanda Hill  
**Cc:** Debbie Cromer; Karen Brehmer; Jay Tothacer; Dirk Aydiette  
**Subject:** pay for part-time magistrates

Wanda,

Yesterday, I sent an email to Judge Lail concerning his time sheet, which indicated 9 hrs., 8 hrs., and 8 hrs., respectively for November 7, 8, and 9 (Friday, Saturday, Sunday). He also made a request for mileage reimbursement to and from the detention center on those days.

My email to him stated that we normally would NOT 1) pay part-time magistrates to work more than their regular weekly hours during the workweek, 2) pay any part-time magistrate for more than four hours per weekend for on call duty, 3) pay mileage to anyone driving to and from his or her assigned work station.

These directives may only be overridden by extraordinary circumstances, the demonstration of which will be the responsibility of the part-time magistrate. Acceptance of the presented documentation would be entirely at the County's discretion.

Thanks.

Wayne=

119^24. Adams email to Hill 11-  
19-2014.pdf

**From:** Wayne Adams <wadams@newberrycounty.net>  
**Sent:** Wednesday, November 19, 2014 3:18 PM  
**To:** Wanda Hill  
**Cc:** Debbie Cromer; Karen Brehmer; Jay Tothacer; Dirk Aydlette  
**Subject:** pay for part-time magistrates

Wanda,

Yesterday, I sent an email to Judge Lail concerning his time sheet, which indicated 9 hrs., 8 hrs., and 8 hrs., respectively for November 7, 8, and 9 (Friday, Saturday, Sunday). He also made a request for mileage reimbursement to and from the detention center on those days.

My email to him stated that we normally would NOT 1) pay part-time magistrates to work more than their regular weekly hours during the workweek, 2) pay any part-time magistrate for more than four hours per weekend for on call duty, 3) pay mileage to anyone driving to and from his or her assigned work station.

These directives may only be overridden by extraordinary circumstances, the demonstration of which will be the responsibility of the part-time magistrate. Acceptance of the presented documentation would be entirely at the County's discretion.

Thanks.

Wayne

120^5. Adams email to Hill 11-  
19-2014.pdf

**From:** Wayne Adams <wadams@newberrycounty.net>  
**Sent:** Wednesday, November 19, 2014 3:18 PM  
**To:** Wanda Hill  
**Cc:** Debbie Cromer, Karen Brehmer, Jay Tothacer, Dirk Aydlette  
**Subject:** pay for part-time magistrates

Wanda,

Yesterday, I sent an email to Judge Lail concerning his time sheet, which indicated 9 hrs., 8 hrs., and 8 hrs., respectively for November 7, 8, and 9 (Friday, Saturday, Sunday). He also made a request for mileage reimbursement to and from the detention center on those days.

My email to him stated that we normally would NOT 1) pay part-time magistrates to work more than their regular weekly hours during the workweek, 2) pay any part-time magistrate for more than four hours per weekend for on call duty, 3) pay mileage to anyone driving to and from his or her assigned work station.

These directives may only be overridden by extraordinary circumstances, the demonstration of which will be the responsibility of the part-time magistrate. Acceptance of the presented documentation would be entirely at the County's discretion.

Thanks.

Wayne=

121^8. Adams email to Hill 11-  
19-2014 (2).pdf

From: Wayne Adams wadams@newberrycounty.net  
Subject: pay for part-time magistrates  
Date: November 19, 2014 at 3:18 PM  
To: Wanda Hill whill@newberrycounty.net  
Cc: Debbie Cromer dcromer@newberrycounty.net, Karen Brehmer kbrehmer@newberrycounty.net, Jay Tothacer jtothacer@newberrycounty.net, Dirk Aydlette daydlette@gsblaw.net

---

ROA 01149

Wanda,

Yesterday, I sent an email to Judge Lall concerning his time sheet, which indicated 9 hrs., 8 hrs., and 8 hrs., respectively for November 7, 8, and 9 (Friday, Saturday, Sunday). He also made a request for mileage reimbursement to and from the detention center on those days.

My email to him stated that we normally would NOT 1) pay part-time magistrates to work more than their regular weekly hours during the workweek, 2) pay any part-time magistrate for more than four hours per weekend for on call duty, 3) pay mileage to anyone driving to and from his or her assigned work station.

These directives may only be overridden by extraordinary circumstances, the demonstration of which will be the responsibility of the part-time magistrate. Acceptance of the presented documentation would be entirely at the County's discretion.

Thanks.

Wayne

ROA 01149

122^8. Adams email to Hill 11-  
19-2014.pdf

From: Wayne Adams wadams@newberrycounty.net  
Subject: pay for part-time magistrates  
Date: November 19, 2014 at 3:16 PM  
To: Wanda Hill whill@newberrycounty.net  
Cc: Debbie Cromer dcromer@newberrycounty.net, Karen Brehmer kbrehmer@newberrycounty.net, Jay Tothacer jtothacer@newberrycounty.net, Dirk Aydlette daydlette@gsblaw.net

---

ROA 01151

Wanda,

Yesterday, I sent an email to Judge Lail concerning his time sheet, which indicated 9 hrs., 8 hrs., and 8 hrs., respectively for November 7, 8, and 9 (Friday, Saturday, Sunday). He also made a request for mileage reimbursement to and from the detention center on those days.

My email to him stated that we normally would NOT 1) pay part-time magistrates to work more than their regular weekly hours during the workweek, 2) pay any part-time magistrate for more than four hours per weekend for on call duty, 3) pay mileage to anyone driving to and from his or her assigned work station.

These directives may only be overridden by extraordinary circumstances, the demonstration of which will be the responsibility of the part-time magistrate. Acceptance of the presented documentation would be entirely at the County's discretion.

Thanks.

Wayne

ROA 01151

123^9. Adams email to Hill 11-  
19-2014.pdf

**From:** Wayne Adams <wadams@newberrycounty.net>  
**Sent:** Wednesday, November 19, 2014 3:18 PM  
**To:** Wanda Hill  
**Cc:** Debbie Cromer; Karen Brehmer; Jay Tothacer; Dirk Aydlette  
**Subject:** pay for part-time magistrates

Wanda,

Yesterday, I sent an email to Judge Lail concerning his time sheet, which indicated 9 hrs., 8 hrs., and 8 hrs., respectively for November 7, 8, and 9 (Friday, Saturday, Sunday). He also made a request for mileage reimbursement to and from the detention center on those days.

My email to him stated that we normally would NOT 1) pay part-time magistrates to work more than their regular weekly hours during the workweek, 2) pay any part-time magistrate for more than four hours per weekend for on call duty, 3) pay mileage to anyone driving to and from his or her assigned work station.

These directives may only be overridden by extraordinary circumstances, the demonstration of which will be the responsibility of the part-time magistrate. Acceptance of the presented documentation would be entirely at the County's discretion.

Thanks.

Wayne=

124^25. Adams email to  
Tothacer 12-1-2014.pdf

**From:** Wayne Adams <wadams@newberrycounty.net>  
**Sent:** Monday, December 01, 2014 9:59 AM  
**To:** Jay Tothacer  
**Subject:** Re: Revised Jayroe verification

Where the letter states, "I further verify that it ....," replace "it" with "all such equipment."  
On Dec 1, 2014, at 9:50 AM, Jay Tothacer <jtothacer@newberrycounty.net> wrote:

> <Jayroe Court Administration assets listing 2014.doc>

125^26. Tothacer email to  
Adams 12-1-2014.pdf

**From:** Jay Tothacer <jtothacer@newberrycounty.net>  
**Sent:** Monday, December 01, 2014 10:37 AM  
**To:** 'Wayne Adams'  
**Subject:** RE: Revised Jayroe verification  
**Attachments:** Jayroe Court Administration assets listing 2014.doc

See attached

—Original Message—

**From:** Wayne Adams [<mailto:wadams@newberrycounty.net>]  
**Sent:** Monday, December 01, 2014 9:59 AM  
**To:** Jay Tothacer  
**Subject:** Re: Revised Jayroe verification

Where the letter states, "I further verify that it ....," replace "it" with "all such equipment."  
On Dec 1, 2014, at 9:50 AM, Jay Tothacer <[jtothacer@newberrycounty.net](mailto:jtothacer@newberrycounty.net)> wrote:

> <Jayroe Court Administration assets listing 2014.doc>



ROA 01158

## 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 HIPP  
STEVE STOCKMAN  
SCOTT CAIN

WAYNE ADAMS  
COUNTY ADMINISTRATOR  
A. J. TOTHACER, JR.  
COUNTY ATTORNEY  
LAURIE N. RENWICK  
CLERK TO COUNCIL

December 1, 2014

As Chief Magistrate for Newberry County, I acknowledge and verify that the recent listing of assets provided by Court Administration that I forwarded to Wayne Adams, as County Administrator, for acceptance on behalf of the County is correct in the listing and location of all items to be turned over to the County by Court Administration. I further verify that the listed assets are in the custody of and under the safe keeping of Newberry County Summary Court.

Sincerely,

Arthur L. Jayroe, Jr.  
Chief Magistrate, Newberry County

ROA 01158

126^27. Adams email to  
Tothacer 12-1-2014.pdf

Jay Tothacer

ROA 01160

---

**From:** Wayne Adams <wadams@newberrycounty.net>  
**Sent:** Monday, December 01, 2014 10:39 AM  
**To:** Jay Tothacer  
**Subject:** Re: Revised Jayroe verification.

Yes. That's good.

On Dec 1, 2014, at 10:37 AM, Jay Tothacer <[jtothacer@newberrycounty.net](mailto:jtothacer@newberrycounty.net)> wrote:

> <Jayroe Court Administration assets listing 2014.doc>

ROA 01160

127^4. Adams email to Renwick  
12-1-2014 (2).pdf

**From:** Wayne Adams wadams@newberrycounty.net  
**Subject:** Re: Revised Jayroe verification  
**Date:** December 1, 2014 at 10:38 AM  
**To:** Jay Tothacer jtothacer@newberrycounty.net

---

**ROA 01162**

Yes. That's good.

On Dec 1, 2014, at 10:37 AM, Jay Tothacer <jtothacer@newberrycounty.net> wrote:

| <Jayroe Court Administration assets listing 2014.doc>

**ROA 01162**

128^4. Adams email to Renwick  
12-1-2014.pdf

From: **Wayne Adams** wadams@newberrycounty.net  
Subject: Re: Revised Jayroe verification  
Date: December 1, 2014 at 10:38 AM  
To: Jay Tothacer jtothacer@newberrycounty.net

---

**ROA 01164**

Yes. That's good.

On Dec 1, 2014, at 10:37 AM, Jay Tothacer <jtothacer@newberrycounty.net> wrote:

| <Jayroe Court Administration assets listing 2014.doc>

**ROA 01164**

129^5. Tothacer email to Adams  
12-1-2014 (2).pdf

From: Jay Tothacer jtothacer@newberrycounty.net  
Subject: RE: Revised Jayroe verification  
Date: December 1, 2014 at 10:37 AM  
To: Wayne Adams wadams@newberrycounty.net

---

ROA 01166 

See attached 

ROA 01166



ROA 01167

## COUNTY OF NEWBERRY

OFFICE OF THE COUNTY COUNCIL

POST OFFICE BOX 156

NEWBERRY, SOUTH CAROLINA 29108

(803)321-2100

FAX: (803)321-2102

COUNCILMEN:

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LESLIE HIPPIE

STEVE STOCKMAN

SCOTT CAIN

WAYNE ADAMS

COUNTY ADMINISTRATOR

A. J. TOTHACER, JR.

COUNTY ATTORNEY

LAURIE N. RENWICK

CLERK TO COUNCIL

December 1, 2014

As Chief Magistrate for Newberry County, I acknowledge and verify that the recent listing of assets provided by Court Administration that I forwarded to Wayne Adams, as County Administrator, for acceptance on behalf of the County is correct in the listing and location of all items to be turned over to the County by Court Administration. I further verify that the listed assets are in the custody of and under the safe keeping of Newberry County Summary Court.

Sincerely,

Arthur L. Jayroe, Jr.

Chief Magistrate, Newberry County

ROA 01167

130^5. Tothacer email to Adams  
12-1-2014.pdf

From: Jay Tothacer jtolhacer@newberrycounty.net  
Subject: RE: Revised Jayroe verification  
Date: December 1, 2014 at 10:37 AM  
To: Wayne Adams wadams@newberrycounty.net

---

ROA 01169 



See attached

ROA 01169



ROA 01170

## COUNTY OF NEWBERRY

OFFICE OF THE COUNTY COUNCIL  
POST OFFICE BOX 156  
NEWBERRY, SOUTH CAROLINA 29108

(803)321-2100  
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WAYNE ADAMS  
COUNTY ADMINISTRATOR  
A. J. TOTHACER, JR.  
COUNTY ATTORNEY  
LAURIE N. RENWICK  
CLERK TO COUNCIL

December 1, 2014

As Chief Magistrate for Newberry County, I acknowledge and verify that the recent listing of assets provided by Court Administration that I forwarded to Wayne Adams, as County Administrator, for acceptance on behalf of the County is correct in the listing and location of all items to be turned over to the County by Court Administration. I further verify that the listed assets are in the custody of and under the safe keeping of Newberry County Summary Court.

Sincerely,

Arthur L. Jayroe, Jr.  
Chief Magistrate, Newberry County

ROA 01170

131^6. Adams email to Tothacer  
12-1-2014 (2).pdf

**From:** Wayne Adams wadams@newberrycounty.net  
**Subject:** Re: Revised Jayroe verification  
**Date:** December 1, 2014 at 9:58 AM  
**To:** Jay Tothacer jtothacer@newberrycounty.net

---

**ROA 01172**

Where the letter states, "I further verify that it .....", replace "it" with "all such equipment."  
On Dec 1, 2014, at 9:50 AM, Jay Tothacer <jtothacer@newberrycounty.net> wrote:

| <Jayroe Court Administration assets listing 2014.doc>

**ROA 01172**

132^6. Adams email to Tothacer  
12-1-2014.pdf

**From:** Wayne Adams wadams@newberrycounty.net  
**Subject:** Re: Revised Jayroe verification  
**Date:** December 1, 2014 at 9:58 AM  
**To:** Jay Tothacer jtothacer@newberrycounty.net

**ROA 01174**

---

Where the letter states, "I further verify that it .....", replace "it" with "all such equipment."  
On Dec 1, 2014, at 9:50 AM, Jay Tothacer <jtothacer@newberrycounty.net> wrote:

| <Jayroe Court Administration assets listing 2014.doc>

**ROA 01174**

133^7. Tothacer email to Adams  
12-1-2014 (2).pdf

From: Jay Tothacer jtothacer@newberrycounty.net  
Subject: Revised Jayroe verification  
Date: December 1, 2014 at 9:50 AM  
To: Wayne Adams wadams@newberrycounty.net

ROA 01176 

See attached

A.J. Tothacer, Jr.  
Newberry County Attorney  
P.O. Box 156  
Newberry, S.C. 29108  
Office - (803) 321-1415  
Fax - (803) 321-2102

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ROA 01176



ROA 01177

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WAYNE ADAMS  
COUNTY ADMINISTRATOR  
A. J. TOTHACER, JR.  
COUNTY ATTORNEY  
LAURIE N. RENWICK  
CLERK TO COUNCIL

December 1, 2014

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Sincerely,

Arthur L. Jayroe, Jr.  
Chief Magistrate, Newberry County

ROA 01177

134^7. Tothacer email to Adams  
12-1-2014.pdf

From: Jay Tothacer jtothacer@newberrycounty.net  
Subject: Revised Jayroe verification  
Date: December 1, 2014 at 9:50 AM  
To: Wayne Adams wadams@newberrycounty.net

ROA 01179 

See attached

A.J. Tothacer, Jr.  
Newberry County Attorney  
P.O. Box 156  
Newberry, S.C. 29108  
Office - (803) 321-1415  
Fax - (803) 321-2102

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ROA 01179



ROA 01180

## COUNTY OF NEWBERRY

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NEWBERRY, SOUTH CAROLINA 29108

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COUNTY ADMINISTRATOR  
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LAURIE N. RENWICK  
CLERK TO COUNCIL

December 1, 2014

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Sincerely,

Arthur L. Jayroe, Jr.  
Chief Magistrate, Newberry County

ROA 01180

135^5. Livingston email to  
Adams 12-4-2014.pdf

Laurie Renwick

ROA 01182

**From:** Kirksey Koon <kirkseykoon@yahoo.com>  
**Sent:** Tuesday, February 03, 2015 11:29 AM  
**To:** Laurie Renwick  
**Subject:** Fwd: Freedom of Information Act (FOIA) Request

Sent from my iPad

Begin forwarded message:

**From:** Buddy Livingston <BLivingston@newberry.k12.sc.us>  
**Date:** December 4, 2014 at 5:53:49 PM EST  
**To:** Wayne Adams <wadams@newberrycounty.net>  
**Cc:** Kirksey Koon <kirkseykoon@yahoo.com>, Les Hipp <hippcouncil@bellsouth.net>, Leslie Hipp <lchipp@bellsouth.net>, Scott Cain <scain@newberrycounty.net>, Bill Waldrop <bwaldrop@newberrycounty.net>, "Steve Stockman" <scstockman@att.net>, John Caldwell <johnpatcaldwell@att.net>, "Jay Tothacer" <jtothacer@newberrycounty.net>, Dirk Aydlette <daydlette@gsblaw.net>  
**Subject: Re: Freedom of Information Act (FOIA) Request**

I think the research needs to be done when it will not effect county daily operations and the labor charged at an overtime rate.

Sent from my iPhone

On Dec 4, 2014, at 4:42 PM, "Wayne Adams" <wadams@newberrycounty.net> wrote:

Gentlemen,

Please see the attached FOIA request from West Columbia attorney Desa Ballard.

The request covers a large volume of material focusing on magistrate's court, but also ALL electronic communications between members of Council and me.

This request will require untold staff hours and expense to fulfill. We will pass on as much of the cost of this research and copying as possible to the requesting attorney, but within the bounds of the SC Freedom of Information Act.

I wanted to alert you to this request, chiefly because it will require significant staff time in the weeks ahead.

Let me know if you have questions.

Best,

**ROA 01183**

Wayne

<Desa Ballard letter.pdf>

136^6. Adams email to  
Livingston 12-4-2014.pdf

Laurie Renwick

ROA 01185

**From:** Kirksey Koon <kirkseykoon@yahoo.com>  
**Sent:** Tuesday, February 03, 2015 11:30 AM  
**To:** Laurie Renwick  
**Subject:** Fwd: Freedom of Information Act (FOIA) Request  
**Attachments:** Desa Ballard letter.pdf; Untitled attachment 00086.htm

Sent from my iPad

Begin forwarded message:

**From:** Wayne Adams <wadams@newberrycounty.net>  
**Date:** December 4, 2014 at 4:41:39 PM EST  
**To:** Buddy Livingston <blivingston@newberry.k12.sc.us>, Kirksey Koon <kirkseykoon@yahoo.com>, Les Hipp <hippcouncil@bellsouth.net>, Leslie Hipp <lchipp@bellsouth.net>, Scott Cain <scain@newberrycounty.net>, Bill Waldrop <bwaldrop@newberrycounty.net>, Steve Stockman <sstockman@att.net>, John Caldwell <johnpatcaldwell@att.net>  
**Cc:** Jay Tothacer <jtothacer@newberrycounty.net>, Dirk Aydlette <daydlette@gsblaw.net>  
**Subject:** Freedom of Information Act (FOIA) Request

Gentlemen,

Please see the attached FOIA request from West Columbia attorney Desa Ballard.

The request covers a large volume of material focusing on magistrate's court, but also ALL electronic communications between members of Council and me.

This request will require untold staff hours and expense to fulfill. We will pass on as much of the cost of this research and copying as possible to the requesting attorney, but within the bounds of the SC Freedom of Information Act.

I wanted to alert you to this request, chiefly because it will require significant staff time in the weeks ahead.

Let me know if you have questions.

Best,

Wayne

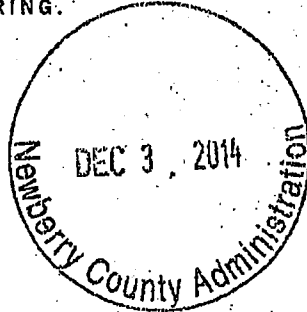


**Ballard & Watson**  
Attorneys at Law  
PERSISTENT. UNWAVERING.

ROA 01186  
David Ballard  
Harvey M. Watson III

December 2, 2014

Via U.S. Mail  
Wayne Adams  
County Administrator  
County of Newberry  
Post Office Box 156  
Newberry, South Carolina 29108



Post Office Box 6338 | West Columbia, SC 29171  
226 State Street | West Columbia, SC 29169  
ph 803.796.9299 | fx 803.796.1066 | [desaballard.com](http://desaballard.com)

Re: Freedom of Information Act Request

Dear Mr. Adams:

This correspondence is addressed to you based upon your position as custodian of records for Newberry County pursuant to S.C. Code Ann. § 30-1-20 or the records officer thereof, for purposes of receiving and responding to the request herein. If you are not the proper individual for receipt of this request, please advise by return mail. Otherwise, the requesting party will consider the request properly received by you in accordance with the Act.

Pursuant to S.C. Code. Ann. §§30-4-10 *et seq.*, the Freedom of Information Act (herein "the act"), you are requested to produce to the undersigned copies of the following public records. The term "public records" is defined in Section 30-4-20(c), as amended. This request does not include a request for any materials that are protected by the attorney-client relationship or are otherwise privileged or materials that exempt from disclosure by statutory law. Provided, however, any documents which are responsive to this request that are withheld on the basis of privilege or exemption should be identified, along with the basis upon which such document(s) is withheld from disclosure. Such identification shall include the author and date of the document, a general description thereof, as well as the names of all recipient(s) of such document, in order to allow the requesting party to determine whether there is need for further inquiry to determine the validity of the response.

Within five (5) days of the receipt of this letter, please provide an estimate of the fees you anticipate will be required in order to produce the materials requested. Pursuant to Section 30-4-30(b), fees may not be charged for examination and review to determine if the documents requested are subject to disclosure. Such five (5) day period shall not reduce or extend the response time period provided by Section 30-4-30(c).

1. The records management program for Newberry County Magistrate's Court as required by Section 30-1-80.

ROA 01186

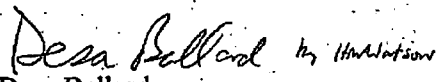
2. Any and all approvals received by Newberry County or any of its agents from the Director of the State Archives authorizing the destruction of any public record regarding the Magistrate's Court of Newberry County at any time since 1995, as required by S.C. Code Ann. § 30-1-110.
3. Documents related to the appointment of magistrates for Newberry County at all times from 2010 to the present, including communication in any form with any member of the South Carolina Senate, including but not limited to Senator Ronnie Cromer.
4. Documents related to the number of full-time or part-time magistrates for Newberry County at all times from 2007 to the present, including communication in any form with any member of the South Carolina Senate, including but not limited to Senator Ronnie Cromer.
5. Any memoranda or document from 2010 to the present in which the operations and/or staffing of the Newberry County Magistrate Court, including its judges and/or employees, is discussed or referenced in any manner, directly or indirectly.
6. Any and all documents related to the case of Thomas Abraham v. Newberry County, Case No. 8:11-cv-03016-TMC (United States District Court for the District of South Carolina) and Case No. 2011-CP-36-464 (Newberry County Court of Common Pleas). Your response should not include any documents that available of record through the Newberry County Clerk of Court public files or the public files of the United States District Court for the District of South Carolina nor should it include any materials exempt from disclosure pursuant to the attorney-client relationship. It should include any and all correspondence generated or received during the litigation of the case or afterwards, if related.
7. Any and all electronic messages (to or from [wadams@newberrycounty.net](mailto:wadams@newberrycounty.net) or any private email address), including texts on private cell phones, sent to or received by you with the members of county council or any of their agents for the period 2010 to the present.
8. Any and all communications of any kind between any officer or agent of Newberry County with Robert L. McCurdy of South Carolina Court Administration regarding the Magistrate's Court for Newberry County.
9. Any and all opinions requested or received from any officer or agent of Newberry County from the South Carolina Attorney General regarding compensation of magistrates.
10. Any and all documents relating to the implementation of the \$4,500.00 payment authorized by county council at its meeting in September, 1995, other than confidential compensation reports, including but not limited to memoranda, documents, emails, notes, or other form of communication or recordation, at any time from September 1995 to the present.

11. Any and all electronic messages sent to or received by [tabraham@newberrycounty.net](mailto:tabraham@newberrycounty.net) from 2005 to the present.
12. Agenda or minutes reflecting agenda or items discussed (or to be discussed) for all meetings of executive session of county council from 2004 to the present.
13. All agenda for Newberry County Public Safety and Courts committee from 2004 to the present.
14. All minutes for Newberry County Public Safety and Courts committee from 2004 to the present.
15. Voting records for any action taken in executive session whether during county council meetings or otherwise for any time since 2004 to the present.
16. Any and all documents evidencing or reflecting directives from Chief Magistrate Jayroe regarding the allocation of use of the supplemental full-time magistrate's pay approved by resolution or other action of Newberry County Council in or about September, 2005.

To the extent the requested materials are stored or held by the custodian by electronic means, we will provide at your request electronic media storage device(s) to assist with reproduction for purposes of responding to this request. Any materials stored electronically are requested to be produced in electronic format that is capable of being read by generally-available and identifiable software which we may use to access the produced materials.

We look forward to hearing from you.

Sincerely yours,

  
Desa Ballard  
[desab@desaballard.com](mailto:desab@desaballard.com)

137^7. Council email to Adams  
12-4-2014.pdf

Laurie Renwick

ROA 01190

**From:** Kirksey Koon <kirkseykoon@yahoo.com>  
**Sent:** Tuesday, February 03, 2015 11:30 AM  
**To:** Laurie Renwick  
**Subject:** Fwd: Freedom of Information Act (FOIA) Request

Sent from my iPad

Begin forwarded message:

**From:** Hipp Council <hippcouncil@bellsouth.net>  
**Date:** December 4, 2014 at 5:23:46 PM EST  
**To:** Wayne Adams <wadams@newberrycounty.net>  
**Cc:** Buddy Livingston <blivingston@newberry.k12.sc.us>, Kirksey Koon <kirkseykoon@yahoo.com>, Leslie Hipp <lchipp@bellsouth.net>, Scott Cain <scain@newberrycounty.net>, Bill Waldrop <bwaldrop@newberrycounty.net>, Steve Stockman <scstockman@att.net>, John Caldwell <johnpatcaldwell@att.net>, Jay Tothacer <jtothacer@newberrycounty.net>, Dirk Aydlette <daydlette@gsblaw.net>  
**Subject:** Re: Freedom of Information Act (FOIA) Request

It is my understanding that there is no time limit to provide the information even though there is a proposal in the legislature to change this. It is also my understanding that we can charge reasonable fees for the assimilation of this information. I think we need to cooperate with the request fully but we need to take a reasonable time and we need to charge appropriate fees in doing so. The FOI act is meant to protect the interests of both parties involved.

Sent from my iPhone

On Dec 4, 2014, at 4:41 PM, Wayne Adams <wadams@newberrycounty.net> wrote:

Gentlemen,

Please see the attached FOIA request from West Columbia attorney Desa Ballard.

The request covers a large volume of material focusing on magistrate's court, but also ALL electronic communications between members of Council and me.

This request will require untold staff hours and expense to fulfill. We will pass on as much of the cost of this research and copying as possible to the requesting attorney, but within the bounds of the SC Freedom of Information Act.

I wanted to alert you to this request, chiefly because it will require significant staff time in the weeks ahead.

**ROA 01191**

Let me know if you have questions.

Best,

Wayne

<Desa Ballard letter.pdf>

138^28. Adams email to  
Tothacer 12-17-2014.pdf

**Jay Tothacer**

**ROA 01193**

---

**From:** Wayne Adams <wadams@newberrycounty.net>  
**Sent:** Wednesday, December 17, 2014 12:28 PM  
**To:** Jay Tothacer  
**Subject:** judicial equipment list

Jay,

Have we fully resolved this issue?

Wayne

**ROA 01193**

139^29. Tothacer email to  
Adams 12-147-2014.pdf

Jay Tothacer

ROA 01195

**From:** Jay Tothacer <jtothacer@newberrycounty.net>  
**Sent:** Wednesday, December 17, 2014 2:11 PM  
**To:** Wayne Adams  
**Subject:** FW: Court Administration assets list  
**Attachments:** Jayroe Court Administration assets listing 2014.doc

FYI

**From:** Jay Tothacer [<mailto:jtothacer@newberrycounty.net>]  
**Sent:** Wednesday, December 03, 2014 6:21 PM  
**To:** Arthur Jayroe  
**Cc:** Wayne Adams  
**Subject:** Court Administration assets list

Judge,

Attached is a brief form that we would like for you to sign and return to Wayne for retention in our files. As soon as we receive it we will sign and forward the assets listing to Court Administration.

Thanks

Jay

A.J. Tothacer, Jr.  
Newberry County Attorney  
P.O. Box 156  
Newberry, S.C. 29108  
Office - (803) 321-1415  
Fax - (803) 321-2102

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ROA 01195



ROA 01196

## COUNTY OF NEWBERRY

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COUNTY ATTORNEY  
LAURIE N. RENWICK  
CLERK TO COUNCIL

December 4, 2014

As Chief Magistrate for Newberry County, I acknowledge and verify that the recent listing of assets provided by Court Administration that I forwarded to Wayne Adams, as County Administrator, for acceptance on behalf of the County is correct in the listing and location of all items to be turned over to the County by Court Administration. I further verify that the listed assets are in the custody of and under the safe keeping of Newberry County Summary Court.

Sincerely,

Arthur L. Jayroe, Jr.  
Chief Magistrate, Newberry County

ROA 01196