



Never Overlook the Obvious

By [Harrison Barnes](#)

When I was in my third year of college in Chicago, I received a notice from the City of St. Claire Shores, Michigan, that I owed them \$18,000 and needed to report to court, because I might actually be responsible for owing them even more money. St. Claire Shores is a working class suburb outside of Detroit. In addition, the City was deciding whether to bring more serious criminal charges against me in the preliminary hearing that had been scheduled during spring break. This was a lot of money and I knew exactly what the entire thing was about. I had received several tickets over the previous summer after a very odd incident, and after several delays, the ball was starting to roll and things seemed to be escalating.

At 21 years of age, I did what any terrified person would do: I picked up the phone and called the prosecutor. She sent me a big envelope with some motions and a bunch of papers I did not understand. I assumed that this is what they sent you before you went to prison. I hid it under my bed for a few weeks, terrified of the contents of the envelope. Then one day, during lunch in my fraternity house, I pulled out the envelope and looked at the phone number at the top of the court papers. I saw the prosecutor's name.

"Are you represented by counsel?" she asked when she picked up the phone. She sounded big and mean and as if she might kick my ass. I was very worried about meeting her.

"Represented by counsel? No. Should I be?"

"These charges are serious and you should be represented by counsel. I suggest you get a lawyer!" She then hung up the phone on me.

I was horrified. I did not know what to do. My father had always told me that if I ever got into any sort of trouble, not to call him or tell him about it because he would not help me. Ever since hearing that one of his friends/coworkers had a son my age who was a heroin addict, and who stole from the family, my father had become enamored with the concept of tough love which, by his definition, essentially meant not giving a child any help whatsoever for anything. He loved this concept of tough love, and bragged to his friends about how he had to practice it with me any chance he got.

"Can I have \$3.00? There has not been any bread in the house in weeks."

"No! You might use the money for drugs. You are 17 and should be working for your own money!"

"I do not use drugs!"

"Sure you don't ..."

Now, my dad is a great guy in many respects but he really did like to save money. Unfortunately, according to his philosophy, giving children money is something that "enables them," thus I was cut off at age 17. My parents were divorced and I shuttled between them. At the time I was living with my father.

My favorite "dad story" is when he was taking my mom and his mother to the opera and his mother started to feel faint. He decided she might be having a heart attack (this was 40 years before she died), and ran out to the parking garage to get the car, so that he could rush my grandmother to the hospital. Suddenly my dad realized he had paid a few dollars to park, although he was no longer going to be experiencing the opera that night. While his mother waited in the car, apparently in need of serious medical attention, dad took the time to argue with the valet company about the parking charge in an attempt to get his money back.

Anyway, he loved this tough love stuff; however, he was barking up the wrong tree with it as far as I was concerned. I had really never been in trouble as a high school student. I studied all the time and it was the same in college. I had never used drugs in my life. In fact, I even started an anti-drug organization in college. Nevertheless, I knew my father was really excited for the chance to step in and use tough love, and to tell his friends all about it. As it was so far, his stories about using *tough love* probably revolved around things like him putting his foot down, telling me I could not use the computer unless I remembered to turn it off when I was finished with it.

I brought my mother along with me to court. She smoked three packs of cigarettes a day at the time, enjoyed marijuana quite a bit on a daily basis, and was totally cool coming to court with me. In fact, she thought the entire situation was hilarious. I explained to her that I might go to prison and that I needed to be at the court on time.

"Oh my...we'll just have to see what happens then," she said. "You are so funny!"

I remember she was talking on the phone to a friend about nothing at the time. Here we were supposed to be at the hearing, while Mom sat there laughing and having a great time.

"Mom! We need to go!!" I told her. I had started the car and it was running in the driveway.

She interrupted her phone conversation: "Oh, for Chrissakes! Harrison wants me to go to court with him because he might go to prison today. Can you believe it? Yes! Prison! I need to go and will call you back. Ha, ha, ha, ha! Yes...of course it would be funny if he went to prison!"

The courtroom was very crowded. On the way there, my mom had been complaining that I did not give her time to dry her hair, and once we got into the courtroom, she continued combing her hair and getting ready. I did not know it at the time, but several people had shown up to ask the judge to give me a harsh sentence. I needed to sit through several other hearings prior to coming up before the prosecutor, the judge and the citizens of St. Clair Shores, who were apparently very angry with me.

While waiting for my hearing to start, I had the distinct privilege of seeing one of the strangest hearings I have ever seen. A woman was being charged with running over an old Italian man from Sardinia. He had been walking down the sidewalk with

his cane, and she backed out of her driveway and ran right over him. He had spent months in the hospital and was currently in a neck brace. The judge revoked the woman's license, fined her, put her on probation, and lectured the woman sternly; however, the funniest part of the hearing was when the judge tried to tell the old man to sue her:

"You know you have a cause of action against her, right?" the judge asked.

"Oh, I would never do something like that. She seemed like such a nice woman when she came to visit me in the hospital one day. She brought me some flowers."

"But you were in the hospital for three months, and she drove away after running over you. You might have died if someone else did not discover you!"

"Oh, I am sure she meant nothing by it."

"You could have been killed. It was cold blooded. She almost broke your neck."

"We all make mistakes."

The judge argued back and forth with the old man for several minutes and the entire episode was quite entertaining to watch. Everyone in the audience was laughing and seemed to think it was very funny. As terrified as I was of going to prison in a few minutes, I managed to crack a smile too.

I still have not told you what I was doing in court and I am sure you are curious about this. I ended up in court after a bizarre incident that had happened over the previous summer, which involved a poorly constructed asphalt sealer tank that I had rented. While I have a lot of respect for the asphalt industry, one thing I will say is that some of the people [working in the business](#) are not that bright. I had rented an asphalt sealer tank that had a pipe welded to the bottom of the tank which meant that it shook when it was on the freeway. Sort of like this:

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The correct positioning of the pipe should have been like this:

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This is how most asphalt sealer tanks are designed. I had gotten on the freeway with my tank and because of the ass-backwards design of this rental tank, it had shaken loose and poured a 3 mile path of asphalt sealer all through the City of St. Clair Shores, by the time I had exited the freeway at 9 mile drive. It was a complete disaster. I pulled up in front of my employee Leroy's home, and the asphalt sealer made a huge puddle right in front of his house. Leroy did all he could, grabbing a large cooler from where we kept our waters and Gatorades at the back of the pickup truck, and emptying it beneath the leak. Incredibly, the last five gallons or so of the asphalt sealer filled up that cooler and stopped leaking just as its contents got to the top of the cooler.

"Call the police!!" I yelled at Leroy. "We need to figure out what to do!" Cars were splashing all around through the trail of asphalt sealer, and there was a trail leading down the concrete road, which went as far as the eye could see. I was absolutely astonished.

"Ok, I'll call the Department of Public Works and see what they can do about this mess," the policeman said coolly. He looked bored and kind of annoyed by having to respond to our call. I think he expected me to just leave the scene. Nevertheless, I stayed there. I grabbed Leroy and his son and we started sweeping up the tar all over the street. Several other police cars arrived and looked equally bored, and then a couple of street sweepers arrived and started going over the mess. People were now coming out of their homes in amazement, watching us. I made Leroy and his son sit on the truck bed and put their brooms against the asphalt, and we started driving up and down the three mile tar slick I had created. We were followed by a police escort and two street sweeper vehicles. For the next hour or so we drove up and down the slick again and again, going about 5 miles an hour in the pickup truck. It looked bad, and I realized I had literally destroyed the ambience and the entire look of the road throughout most of the city.

When I thought I could do no more good, I pulled up in front of Leroy's house and he and his son jumped off the truck bed. The street sweepers were still running up and down the way. Leroy and his son grabbed the cooler that was filled with asphalt sealer and put it in their front yard. I walked up to the policeman who had escorted us.

"This still looks like shit, but the DPW guys are sure glad you called them out here on Saturday. The union gives them double overtime when they work on Saturdays," the policeman said. "I guess that is it. Thanks for helping out."

Then I did one of the stupidest things I could have imagined.

"I am sure I must have violated some code or something," I told the policeman. "Don't you want to at least take down my license and stuff?"

"Yeah, that's probably a good idea," he said. For the next twenty minutes or so I sat there while I heard the cackle of the policeman's radio going back and forth, and finally he approached my pickup truck with a bunch of tickets. One was called "Failure to Secure a Load" and I do not remember what the others were for. So that was why I was in court that day.

When I got before the judge he started telling me I had a right to an attorney and so forth. I was a little surprised; although the situation did seem quite formal, I decided to waive that right. Then, before I had been standing in front of the judge for not more than 2 minutes, two people who looked like they might be members of Greenpeace, or a similar organization, stood up in the audience and started screaming something along the lines of:

"He polluted the waterways!! The street drains lead directly into the Lake!! He belongs behind bars!!!"

It was unbelievable. These environmental protesters had showed up for my court hearing. I was totally freaked out. I turned around and saw my mom laughing. The judge banged his gavel, seemingly in slow motion, and soon the bailiff was forced to eject the hecklers from the court.

The prosecutor was flanked by several people and I did not know who they were. At this point I went into a state of shock, so my memory is a little clouded; I will give you the gist of what happened. The prosecutor got up and started talking about all the damage I had done to the street and how it looked horrible. At some point during the prosecutor's angry soliloquy, the judge interrupted, saying something like:

"I have seen the huge tar slick going through our city! It is a disgrace and makes me angry every day that I go to work. It

makes our city's pavement look like a bad piece of modern art!! As far as I am concerned I think the prosecution should demand the maximum for this misdemeanor which is 90 days in jail."

At this point my mother stood up and walked directly toward the table where I was standing.

"Who are you?" the judge asked.

"I'm his mother and he is a nice boy! He is just trying to earn money for college..." My mom spoke for several minutes and I do not remember everything she said but she did a great job.

When the prosecutor started talking again, the judge continued questioning her.

"How much will it cost to remove the tar from the street?" the judge asked.

"According to our studies the only way we could permanently remove the tar would be to rip up the concrete and replace it. Our preliminary estimate is that this would cost well over \$1,000,000, plus the loss of use of the roadway while the work is being done," the prosecutor stated.

"Well, I think you should demand this from him!" the judge stated, nodding in my direction.

"Our studies have indicated that it will probably fade and no longer be that noticeable within the next 30 years and so we have decided this is probably a better option," the prosecutor answered.

"Ok, then why don't you tell me what you want?" the judge finally told the prosecutor.

"We have obtained a cooler full of the product that was spilled and we want this disposed of. Mr. Barnes left this in front of his employee's house and the employee called us to pick it up. We have gotten three independent bids for disposing of the material, and the cheapest one we have found is for \$18,000. We are prepared to drop all charges against Mr. Barnes if he will pay the City \$18,000 to dispose of the material. It requires a very complex process to break down the asphalt. I have attached a report the City had commissioned on this, which the City Engineer can better explain," the prosecutor stated.

The City Engineer got up and started giving a very detailed report, talking about how he had consulted with a chemist and others to identify the material, and what it would take to have it broken down. He talked about how it would need to be broken down in an environmentally secure facility, among other things, which I probably could not recall even if I wanted to. It all involved a lot of jargon. The chemist literally lectured about what needed to be done to the asphalt sealer for 20 minutes. Another chemist had also driven in all the way, and testified further about the various procedures that needed to be undertaken, in order to dispose of the material inside of the cooler.

I had fired Leroy some months prior to the hearing, after he'd swindled me out of a bunch of money in order to support an apparent crack addiction. He had shown up at my apartment at 6:00 am one morning and told me he had met a new woman in a bar, and that he was leaving his wife. He needed money to rent a U-Haul. Since Leroy had always complained about his wife, I was happy for him. He was probably in his mid 40s at the time, and here he was standing at my doorstep at the crack of dawn with a girl who looked no more than 18 years old. Also, she appeared to weigh no more than 75 pounds, and seemed like someone who had been doing drugs daily for years. Her skin was quite pale. Since it was early and I did not have any cash on me, I wrote Leroy a check. He cashed it at a liquor store that morning and I cancelled the check later that afternoon, after coming to my senses. I investigated and found out that Leroy was a crack addict. The liquor store started calling me leaving me all sorts of messages about the cancelled check and did so for years. I had not spoken with Leroy since this incident, and was supremely annoyed that he had involved the City with the ice cooler filled with asphalt sealer.

"This sounds like your lucky day! I am really disappointed that the prosecutor does not want to pursue more serious charges against you, and cannot believe you are getting away with this. I think \$18,000 to dispose of this is very fair especially considering all the damage you have done," the judge said. "If you'll agree to this, I think everyone can put this behind them."

I had been thinking to myself the entire time and was beginning to think that I might be missing something.

"Couldn't I just pick up the material and get rid of it myself?" I asked the judge.

"Don't think I am falling for that one!" the judge responded. "You've already done enough environmental damage. What are you planning on doing with this asphalt? Putting it down the sewer?" The entire courtroom started to laugh and the judge smiled back at the courtroom. "You are already on thin ice as it is and the prosecution has offered you the deal of the century. You should be very careful with your words."

"No, I would not put it down the sewer," I told the judge. "And \$18,000 is a lot of money to me."

"Then what would you do with it?" the judge asked.

"I would put it on a driveway. It is asphalt sealer. That is what it is made for," I said matter-of-factly.

The entire court room fell silent. I think everyone very quickly realized the ridiculousness of the whole situation. There were all these studies and all of this carrying on about the environment, when all I needed to do was pick up the asphalt sealer and reuse it on a driveway.

The judge looked astonished.

"Does the prosecution have any objection to this?" he asked.

"No, Your Honor," the prosecution said.

"Ok, can you pick up the material and dispose of it on a driveway today?"

"Sure," I said.

"Ok, go get the cooler full of asphalt sealer and do some work with it today. You're a lucky man. Charges dismissed."

Following the hearing I drove over to a city lot and picked up the asphalt sealer. I was amazed at how something so simple had been over-analyzed and the most obvious solution had been overlooked. This is how I almost went to prison, and avoided paying \$18,000 in restitution to the City of St. Clair Shores.

So many people overlook the obvious. In your [job search](#) and life do not overlook the obvious. Many times the solution to whatever problem you are facing is right in front of you and very simple. We often create mountains out of mole hills for reasons that simply make no sense.

THE LESSON

Obvious solutions always get overlooked. Simple problems get overanalyzed, and the simple solution gets ignored. Look out for the solutions that are right in front of you, and do not create mountains out of molehills for nonsensical reasons.

