

Rare Eclipse Affects All Aspects of Municipal Government

By: Brad Cunningham, City Attorney, Lexington, South Carolina

Unless you were on another planet, or, in our case didn't read the listserv this summer, there was a rare Solar Eclipse here in the Continental United States. We were fortunate enough here in the cozy confines of Lexington, SC, to be directly in the center line of the eclipse. Thus, we encountered the longest period of totality on the entire east coast. The period of totality lasted just over 2 ½ minutes. However, the preparation and effects lasted for months, and the extra crowds and traffic affected virtually every branch of municipal government.

The eclipse occurred on Monday, August 21, but it had been talked about constantly around here for over a year. Rumors swirled about its ominous meaning and its potential effects... "It will reverse the polar magnetism and compasses won't work... Animals will go crazy... Computer systems will shut down... The temperature will drop dramatically, so make sure your heating and air system is ready...Stores will run out of food... Gasoline will be in short supply... The roads will be so clogged that you won't be able to get out of town..."

Local residents began preparations a week in advance. Lines formed at the gas pumps. Bread and milk were in short supply. (How this was supposed to help, I have no idea). Folks were taking off from work. Businesses were closing. Courtrooms were closing. In all seriousness, it was as though we were preparing for the end of the world. Even moon pies were in short supply.

On Friday, the Wal-Mart parking lot, among others, began to fill up with motor homes and tailgating activities ensued. If you hadn't heard, you would swear the town was either gearing up for a tremendous tailgate party and SEC football game, or hunkering down for another hurricane.

The preparation for area municipal governments wasn't without issues. The phones began ringing long before the solar event. "Is the garbage going to be picked up that day?" ... "Will the police be on extra patrol?"... "Are you open that day?"... "Where can we see the eclipse from?" (Umm... From earth, maybe?)

One popular rumor that circulated was the story that the South Carolina Highway Patrol was going to reverse lanes on one side of the Interstate to deal with traffic. Calls to Town Hall were directed to SCHP. The rumor became so prevalent that it made its way into mainstream media channels. Finally, the SCHP had to hold a press conference to say this is NOT true! In fact, it was never discussed, because if there are indeed thousands of visitors, they will be coming from both directions--so reversing lanes would be of no use.

The Town of Lexington conducted a "viewing party" at its new 900 seat amphitheater. Calls began early on... "Will it be rescheduled in the case of inclement weather?"... "Why are you doing this on a school day? Wouldn't it be more convenient on a weekend?" "My eclipse glasses broke. Where can I get more?"...

Other stories include the theory that there would be an increase in crime due to the darkness. (All two and one half minutes of it) In fact, I heard of folks who took the day off for THIS reason, not because of viewing the eclipse, but to "protect their property." Reports of eclipse glasses being sold on Ebay for $100 circulated. (They were free in most places, and we still have a thousand or so here) Many people simply reported taking the day off due to all the "uncertainty." Nobody knew what was "going to happen."

An interesting post on the listserv regarded whether cities should "issue warnings to city employees that will be working during the solar eclipse or any kind of instructions on the risks involved in the eclipse or precautions to take during the event?"

The question is fair, but the responses were interesting. "What risk?"... "We have to tell employees not to look directly at the sun?"... "And, remind them to breathe, when necessary."... "Be careful not to trip over anything in the dark."... "Come on now...if all employees had common sense that would cut into a lot of our jobs, wouldn't it?"... "It is probably covered by worker's comp." (I did not know viewing the eclipse was within the scope of employment.)

Let's fast forward to the actual day of the event. What really happened? For one, an enterprising doughnut chain began selling "Eclipse Doughnuts," which were simply the same dark chocolate doughnuts that could be had on any other day for less cost. But, enthusiasts just had to have them and lines formed at the doughnut shop before 4:00 a.m. There were actually upset people who didn't know what to do because the shop had run out of doughnuts by the time they arrived. Folks called the Town to see if we knew where they could find more doughnuts (I'm not kidding about this!)

But, other than the run on the doughnut store, nothing extremely unusual occurred... There were no computer crashes...No lane reversals...Eclipse glasses ($100?) were found on the ground... Police reported that the roads in Town were a virtually deserted...There was no increase in crime...No temperature drop...Gasoline could still be purchased, as could milk and bread...No computer crashes...No cats and dogs sleeping together...The world did not end...

It got dark for two minutes and 41 seconds, and then the sunlight returned.

That was it. It was like the time I hosted a party for the Larry Holmes fight, and the match only lasted for 30 seconds. Everyone sat around thinking "Now, what do we do?"

Yes, there were plenty of people in Town. Hotels and restaurants were full. There was a measurable economic benefit to the Town. And truth be known, after all the hype, it was still a fascinating event to witness. But, outside of a few mid-afternoon rooster crows, there was nothing extremely unusual in the aftermath of this "once in a lifetime" event.

Life went on as usual. If you are on the Water Cooler, I posted some pictures from the centerline. Comb through the archives and take a look. (But don't look at them for too long!)

Call me old if you want, but I am disturbed by the lack of respect people have for each other and for authority these days. There are all sorts of examples of this in the national media, and we have discussed on the listerv what to do when folks get out of order at public meetings. I encountered one such situation in court recently.

A young lady stepped up to the lectern having been charged with Simple Possession of Marijuana, Possession of Drug Paraphernalia and Disorderly Conduct. She pled not guilty. Once the officer had proceeded with testimony, the young lady (with a sneer on her face and her hand on her hip) began asking the judge "Now, why would I do that in public. That would be stupid. Why would I stand there and do that? Why would I tell the "cops" that?"

Seriously, her defense was "Who would do something that stupid?" The judge cut her off stating "You are not the one asking questions of me. That is not the way it works. Do you have anything else to say in your defense?" Yes, she said. "He (the officer) is lying!"

The judge was intrigued. "Did you see the pictures? Did you review the evidence?" The young lady responded "Yes. I did not do it. That would be stupid."

The judge found her guilty, and sentenced her to a fine on all three charges, even giving her 90 days to pay the fine. He lectured her about the behavior and her demeanor, and the fact that she was wearing cut off shorts and a T-shirt to court. Then, he excused her. Upon turning from the bench she audibly muttered a popular two word expletive. You know, the one often abbreviated as "FU." The judge did not hear it, but many people did, including the bailiff who is an officer. He asked her to step back up to the microphone and repeat to the judge exactly what she had just said. She exclaimed "I didn't say anything..." He then told the judge what she said, and the judge became red in the face. "I did not say that," the young lady insisted.

"Did anyone else in the courtroom hear her say this?" the judge asked? About half the hands in the room were raised. The judge then held her in Contempt of Court, giving her 30 days in jail. In addition, he revoked the fine on her other three charges and sentenced her to 30 days on each – to run consecutively.

So, solely for the simple reason of not being able to keep her mouth shut, consider this. The young lady went from walking out the door with a fine and 90 days to pay it, to being escorted out the door to become a guest of the government for 120 days and likely losing her job. I wonder if it was worth it?

Maybe her behavior was caused by the eclipse?

There has been listserv discussion in the past about municipalities passing "Texting and Driving" ordinances. Fortunately for our municipalities in South Carolina, this issue has been taken up by the State. But, the issue is serious. A few weeks ago, my co-workers and I were nearly broad-sided by a young lady on her way to work. She ran a red light at full speed, and only some fancy driving by our Parks Director kept us from being creamed. However, she did hit the next car in line. Having witnessed the accident, we stopped.

The young lady jumped out of her car with a cell phone in hand and exclaimed "What happened?" We all told her, and she said she never saw the light. The truth is she was sending someone a text message. The other driver said "Well, we have four people here who did see it." The young lady did admit she wasn't paying attention, and that she was running late for work. We all know. It was that text about what you had for dinner last night that was so important.

The prosecution rests, your honor. ML

