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"For I heard them say, 'Let us go to Dothan.'" — Genesis 37:17

75 cents

Today: High 91°
Low 74°



Showers, t'storms likely
WSW wind 5-10 mph

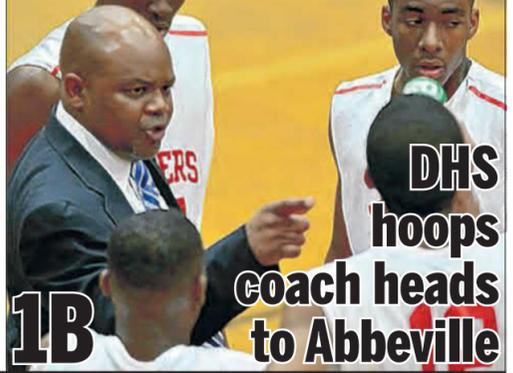
DELAYS & DETOURS

Work begins this week on Houston County Road 55 **Page 2A**



Orlando killer a 'homegrown extremist'

4A



DHS hoops coach heads to Abbeville

1B

Dothan

Suit: Special judge appointments illegal

Local bondsman files class action against city

BY LANCE GRIFFIN
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According to a class-action lawsuit filed Monday by a local bondsman, the City of Dothan has failed to follow state law when appointing special

municipal judges, calling into question the resolution of a significant number of cases heard by the judges.

The suit was filed Monday in U.S. District Court by Rickey Stokes, who was convicted of unlawful imprisonment in Sep-

tember 2014 by special appointed judge Carl Chamblee Jr.

According to the suit, the city's mayor is the only person authorized to appoint special municipal judges, who are appointed to hear cases when the local municipal judge recuses herself due to an absence, conflict of interest or other reasons.

For many years — no one is sure how long — the city manager has been authorized to make the appointment in lieu of the mayor.

"By Dothan's own admission, and under Alabama law generally, any actions taken or

"Someone sends me over a form that looks official, it quotes statutes and it says I sign in lieu of the mayor. There was no need to question that."

Mike West,

Dothan city manager, on appointing special municipal judges in lieu of the mayor

See **LAWSUIT**, Page 9A

FLAG DAY

Celebrating 100 years



DANNY TINDELL, PHOTOS/DOTHAN EAGLE

Art Miller (left) and Morris Lowery, of the Disabled American Veterans, conduct a flag-retirement ceremony Saturday at the Veterans Lodge in Ozark. **BELOW:** Students wave flags at the Alabama State Games, held over the weekend in Dothan.

President Woodrow Wilson proclaimed holiday in 1916

BY JIM COOK
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Arch Solomon didn't intend to create a local landmark when he put up a giant American flag outside his car dealership last year.

"When we put the flag up, we had about 250 vets out," said Solomon, owner of Solomon Chevrolet. "We didn't invite the media or any local dignitaries. We didn't want it to be a dog-and-pony show. We wanted it to be about the vets."

The 30-foot by 60-foot flag has become a landmark, however, and one that Solomon is proud to see. The Solomon family has had a car



dealership in Dothan since 1930, and several members of the family have served in the armed forces. Solomon said he put up the flag to honor them and his country.

"We feel very strongly about

being patriotic," he said.

Solomon said he's now looking for an even larger flag to fly on holidays and special events. Solomon said he

See **FLAG**, Page 3A

About Flag Day

- » Celebrated June 14 each year
- » Commemorates adoption of the U.S. flag, which happened June 14, 1777.
- » Flag Day was proclaimed by U.S. President Woodrow Wilson in 1916.
- » Congress established National Flag Day in 1949.

"When I look at that flag, I remember the ones who didn't come back to see it."

Arch Solomon,

owner of Solomon Chevrolet, which displays a giant American flag

'He'll be missed'

Lee County, Opelika, Auburn officials react to Hubbard verdict

BY MEAGAN HURLEY
Staff Writer

Despite a guilty verdict levied Friday by a Lee County jury in the felony ethics trial of former Alabama House Speaker Mike Hubbard, local officials say the



Hubbard

Auburn Republican's leadership will be missed.

"He was always there for me and the city of Opelika for economic development and issues involving the state," said Opelika Mayor Gary Fuller.

"He just did a lot of things to represent us. He'll be missed," Fuller said.

Hubbard was convicted of 12 felony ethics violations for using his public office for personal gain. His conviction resulted in his immediate removal from office. He was indicted in October 2014 on 23 charges.

See **HUBBARD**, Page 9A

State revokes permit to expand landfill

BY LANCE GRIFFIN
lgriffin@dothaneagle.com

The City of Dothan may be back to square one again in an effort to expand the city landfill at its current site.

The Alabama Department of Environmental Management on Friday rescinded and revoked a permit issued to Dothan last year that would have allowed expansion at the current site.

According to ADEM, the permit was rescinded because the city failed to identify all adjoining landowners during

See **LANDFILL**, Page 3A



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Prosecutor: FedEx knew of suicide linked to illegal drugs

The Associated Press

SAN FRANCISCO — FedEx delivered packages containing illegal prescription drugs for internet pharmacies even after it noticed that authorities were cracking down on the businesses and was told that one had shipped drugs to a woman who committed suicide, prosecutors said Monday as a trial began over drug trafficking charges against the shipping giant.

FedEx knew that drugs in millions of packages it delivered over a decade were illegally prescribed but shipped them anyway because it did not want to lose millions of dollars in revenue to rival UPS, Assistant U.S. Attorney John Hemann said during his opening statement.

"They faced a choice, and the choice is to stop or go, and time and time again, they went," Hemann said at the trial in San Francisco.

The government plans to rely on FedEx emails to make its case.

FedEx has denied the charges and says it only shipped what it believed were legal drugs from pharmacies licensed by states and registered with the U.S. Drug Enforcement Administration.

In her opening statement, FedEx attorney Cristina Arguedas



THE ASSOCIATED PRESS FILE

As a trial began Monday over drug-trafficking charges, prosecutors said that the shipping giant FedEx knew that millions of packages it had delivered contained illegal prescription drugs but did nothing to stop the shipments.

she said the company helped investigators crack down on the two pharmacies that prosecutors say were involved in the scheme and that it was never told by the DEA not to ship for a customer.

"If FedEx was picking up from a pharmacy that was shut down by the DEA and reopened, it had a registration issued by the DEA," she said.

Arguedas also contended that a DEA agent who emailed FedEx in 2006 about the suicide did not want the company to do anything about the pharmacy that shipped the drugs, citing an ongoing investigation of the business.

The exchange was "emblematic" of the partnership between the DEA and FedEx, Arguedas

said.

The trial — nearly two years in the making — is unusual because of the government's decision to bring drug charges against a package delivery company and for the lack of a settlement.

UPS paid \$40 million in 2013 to resolve similar allegations that arose from a yearslong government crackdown on internet

pharmacies that ship drugs to customers without valid prescriptions.

The stakes are high for Memphis, Tennessee-based FedEx. No FedEx officials are facing prison time, but the charges carry a potential fine of \$1.6 billion.

In the early 2000s, prosecutors say, FedEx began conspiring with two internet pharmacy organizations to ship powerful sleep aids, sedatives, painkillers and other drugs to customers who had not been physically examined by a doctor.

The crux of the government's case is that FedEx knew the drugs were illegal and headed for dealers and addicts but delivered them anyway. Company drivers expressed safety concerns that FedEx trucks were being stopped on the road by online pharmacy customers demanding packages of pills, according to the U.S. attorney's office.

"It was like 'The Walking Dead' your honor in some places," Hemann said, describing the customers.

FedEx is charged with distribution of controlled substances, conspiracy to launder money and other counts.

The trial could last into August before a ruling by Senior U.S. District Court Judge Charles Breyer, who will decide the case.

Landfill

From Page 1A

the application process. As a result, ADEM was unable to fulfill its requirement to notify all adjoining landowners, as required by law.

ADEM's decision came in the midst of an appeal to the permit modification by two Dothan residents, Bobby Lewis and Michael Del Vecchio.

In 2014, the City of Dothan hired CDG Engineers for engineering and associated services related to the application for the city's landfill permit modification.

Monday, CDG Engineers president Mark Pugh said CDG failed to identify two of the 17 adjoining landowners.

"Absolutely inadvertently. Absolutely no one responsible other than the team working on the permit," Pugh said Monday.

Pugh said CDG will resubmit the necessary paperwork to begin the permit modification process, possibly by the end of the week. The process involves notification of adjoining landowners, review of the paperwork by ADEM, the issuance of a draft permit, a time period for public comment and other procedural issues. Pugh said the process could take an additional 75-90 days.

City Manager Mike West said CDG will absorb the cost of the re-application process. The city entered into a contract with CDG on April 1, 2014, for the permit modification engineering and associated services for \$484,658.

"Of course we want to get to the point where we feel comfortable constructing this landfill," West said.

If a permit modification is issued again, it can be appealed again.

ADEM filed a suggestion of mootness in relation to the appeal Friday after it revoked Dothan's landfill permit modification. Essentially, ADEM argued that any issues on appeal are moot since the permit modification has been revoked.

Florida environmental lawyer David Ludder, who represents Lewis and Del Vecchio on the appeal,

isn't convinced the revocation was lawful. Ludder, in a response filed with the Alabama Environmental Management Commission, suggests ADEM must verify it followed proper procedure in the permit revocation.

The revocation is the latest in a series of obstacles the City of Dothan has faced in its intent to expand the city landfill at its current site.

The old Dothan landfill reached its capacity in 2014 and the city has been paying to have garbage hauled to a nearby landfill.

City officials had hoped to have an expanded landfill constructed before the old landfill reached capacity, but several issues put the city significantly behind schedule.

» The city committed to purchase 182 acres of land adjacent to the current landfill in October 2012, but a discrepancy over closing details delayed the actual purchase until March 2014.

» A group of residents who live near the proposed expansion organized to fight the decision. The residents claimed the landfill caused various health problems and created a foul odor in the neighborhood. Some residents also claimed former city officials had promised the next landfill would be built elsewhere.

» The city's board of zoning adjustment declined to approve a zoning exception for the city that was believed to be needed to move forward with construction. The city appealed the decision to circuit court, where a judge ruled the city did not need zoning board approval to build the landfill.

» Also, ADEM took a rare but not unprecedented step of holding a public hearing in June 2013 to gather comments on the renewal of the city's solid waste permit. ADEM did not announce its decision to renew Dothan's permit until late October.

» Lewis and Del Vecchio appealed the permit modification in January of this year.

It is expected to cost Dothan a total of several million dollars to haul the city's garbage elsewhere until a new landfill is constructed.

Flag

From Page 1A

hopes to find a 50-foot by 100-foot flag.

For James Seay, a smaller flag flying outside his home serves for honoring his country and his friends. Seay, an Army veteran, served in the military from 1977 to 1992 as

a paratrooper.

"When I look at that flag, I remember the ones who didn't come back to see it," he said.

Flying the U.S. flag has become increasingly popular in recent years, especially after 9/11. Eric Pfeiffer, a department manager for Tidmore Flags, a Birmingham flag seller, said American flags

give people a way to show solidarity with one another. He said 3-foot by 5-foot flags are among the company's best-selling products.

Pfeiffer said flag sales often spike after times of tragedy as people search for a way to show solidarity with their fellow citizens.

"It's bad that it takes chaos to make that hap-

pen," Pfeiffer said.

Seay said that the flag offers Americans a visible means of showing their support for one another. Seay said the flag is an important constant for Americans to hang on to during uncertain times.

"Now with everything going on all over the world, it's a way to show unity," Seay said.



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ADEM revokes permit to expand Dothan landfill

Lance Griffin

News reporter | Posted: Monday, June 13, 2016 9:48 am

HEAD: ADEM revokes Dothan's landfill permit modification

By Lance Griffin

lgriffin@dothaneagle.com

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Garbage

A loader compacts trash at the Dothan Landfill in this 2013 file photo.

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