

Erosion official tied to bribes 30 years possible: Inspector pleads not guilty to soliciting \$1,000, plus \$100 gift certificate.

By [D.L. Bennett](#)

The Atlanta Journal-Constitution

Published on: 05/31/07

A veteran Fulton County erosion inspector surrendered Wednesday to federal authorities and pleaded not guilty to soliciting bribes from a contractor.

Don Mitchell, 56, of Atlanta shuffled into U.S. District Court, his hands and feet bound with chains and cuffs, two federal agents by his side. He faces up to 30 years in federal prison if sentenced to the maximum for soliciting bribes and defrauding Fulton County.

"He's a good man," said Torris Butterfield, his lawyer. "I can attest that this is out of his character."

Mitchell's job as an erosion inspector is to enforce state laws that require construction crews to use silt fences, hay bales and other devices to keep mud from running off their sites and polluting nearby streams.

The arrest shocked Fulton County officials who said they knew nothing of the investigation or allegations against Mitchell.

"I always thought he was a pretty good inspector, very knowledgeable," said Commissioner Bill Edwards, who represents the south Fulton communities where the incident allegedly took place. "Oh my goodness. That's terrible."

Mitchell earned \$57,000 a year as a senior inspector. His 17th anniversary as a county employee would be next month.

U.S. Attorney David E. Nahmias says Mitchell solicited two bribes worth a total of \$1,000 plus a \$100 Red Lobster gift certificate from a grading contractor working in south Fulton.

The court documents unsealed Wednesday only identified the company paying the bribe as "TD" and the project involved as "HWE."

"We cannot tolerate public servants who solicit or accept bribes," Nahmias said in a news release. "The public has the right to expect that government employees from all jurisdictions and at all levels are acting honestly and faithfully."

Alan Toney, chairman of the Fulton County Soil and Water Conservation District, an elected and appointed board that serves as a watchdog for the inspection program, said the board has been "very concerned" about the lack of erosion controls at construction sites in south Fulton and recently decided to fast-track a scheduled review of the program.

Environmental activists said inspectors taking bribes can hurt water quality.

Alice Champagne with the Upper Chattahoochee Riverkeeper, an expert on erosion and sedimentation control, said "what ultimately suffers is the local streams and downstream communities. It's sad."

Champagne was surprised at the small amount of money Mitchell is accused of taking from the contractor.

"You're not getting rich with \$1,000 and a \$100 gift card. ... Maybe Fulton County needs to pay them more money."

Staff writer Stacy Shelton contributed to this article.