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Ex-Utah utility executive was hired while on the run from Canada

Under investigation in Canada, he was hired as financial officer, then allegedly stole \$50K.

BY HARRY STEVENS

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Citizens of Heber City are outraged over revelations that a former local utility executive who allegedly stole thousands of dollars from the company was under investigation for a similar crime in Canada when he was hired by Utah officials eight years ago.

Anthony Furness, 55, the former chief financial officer of the taxpayer-owned Heber Light & Power, was charged in February in Heber's 4th District Court with one count of second-degree felony theft by deception.

Furness allegedly billed more than \$50,000 in personal expenses to a company account between February 2010 and May 2013, according to a probable cause statement filed by the Utah attorney general's office, which is prosecuting the case.

Before coming to Utah, Furness had been the vice president for finance at Saint John Energy in New Brunswick, Canada, where he is accused of having defrauded that company of at least \$5,000, Sgt. Jay Henderson of the Saint John Police confirmed.

Furness was fired from his position at Saint John Energy in 2006, less than a year before he was hired at Heber Light & Power.

"Why was he hired at this company if he was terminated for cause at the Canadian company?" asked Heber City Councilwoman Heidi Franco.

"People here are just amazed," Franco said. "They're flabbergasted."

Among the flabbergasted is Tracy Taylor, chair of the Wasatch Taxpayers Association, a fiscal watchdog group and longtime critic of Heber Light & Power.

"How in the world did Heber Light & Power hire this guy?" Taylor said. "Did they not do a background check?"

Heber Light & Power is jointly owned by the taxpayers of Heber City, Midway and Charleston. The company's board, which is responsible for hiring, is composed of the mayors of the three cities, as well as two council members from Heber City and a non-voting Wasatch County council member.

Connie Tatton was mayor of Midway from 2006 to 2014 and served on the board of Heber Light & Power when Furness was hired in 2006.

"He had the qualifications. To find an accountant with utility experience is not the easiest thing to do," Patton said. "His past conduct in Canada was not part of his records, and it was only later that we found out that there were similar incidents."

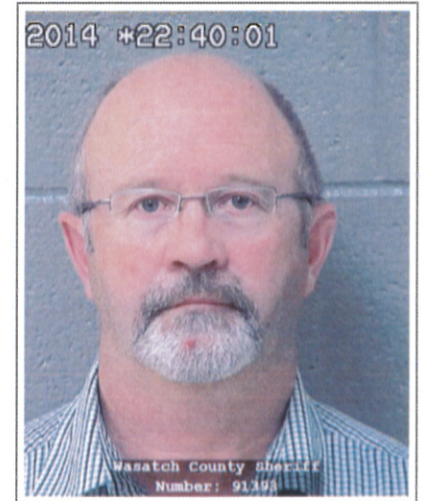
Canadian police issued an arrest warrant for Furness in August 2008, charging him with indictable fraud, although he had been under investigation since 2006.

Utah charging documents make no mention of Furness' alleged flight from prosecution in Canada, but his alleged checkered past was raised by Assist. Utah Attorney General Erwin Petilos during Furness' initial appearance on April 2.

At that hearing, defense attorney Mark Brown of Pietryga Law Office requested that Furness' \$15,000 cash-only bail be made bondable so Furness' soon-to-be daughter-in-law, who posted the cash bail, could recoup some of the money.

Petilos opposed the move.

"He has warrants out in Eastern Canada for conduct that is quite similar," Petilos told Judge Derek Pullan, adding: "I don't believe he has ties to the community."



Courtesy Wasatch County Sheriff Anthony Furness

Pullan ordered bail for Furness to remain at \$15,000, cash-only.

But given Furness' alleged history of running from the law, some citizens said they thought bail should have been higher.

"I do not think bail was sufficient," said Franco.

Taylor agreed.

"This guy fled once, so, you know, we're concerned he's going to flee again," Taylor said. "I don't know where he could go. He could go down to Mexico, I guess. He can't go back to Canada."

Canadian officials have not said whether they will seek to extradite Furness back to Canada to face prosecution.

The anger felt by Heber-area citizens extends to Heber Light & Power's managers, who were responsible for supervising Furness, even as he carried out the alleged fraud for more than three years.

Furness submitted monthly expense reports to General Manager Blaine Stewart, who approved and signed them. According to the Utah Attorney General's probable cause statement, Stewart simply read the front-page summary of the reports and did not review the specific credit card statements or receipts.

It was Stewart's responsibility "to protect the company funds and ensure financial control," Franco said. "It's right there in his job description. And please remember, the general manager signed off on Mr. Furness' receipts of the alleged embezzlement. He claims that it wasn't his job, but he signed off on the receipts."

Stewart, whose salary is paid by the taxpayers of Heber City, Midway and Charleston, currently earns \$267,181.31 in salary and benefits, according to the power company's website. General Counsel Joseph Dunbeck, who is also responsible for overseeing the financial health of the company, earns \$216,963.20 in salary and benefits.

"We were paying a half a million a year for two people to keep an eye on the company, and this happened anyway," Taylor said. "So to say they had no idea, they should have. It's one of those things of, if they didn't know, that's as big of a problem."

In March, about two weeks after Furness was charged, Heber Light & Power issued a statement addressing the case that said the company "has reviewed and continues to review its internal financial controls and to take appropriate steps, where necessary, to strengthen those controls."

Both Stewart and Dunbeck declined to comment for this story, saying they did not want to jeopardize the ongoing prosecution of Furness.

Attempts by The Tribune to reach Furness for comment were unsuccessful. His attorney of record, Russell Pietryga, did not return several calls for comment.

Furness' next court appearance is scheduled for July 23.

Councilwoman Franco said Furness may have succeeded in carrying out the alleged fraud for so long because of his popularity among city officials and company executives.

"The previous mayors and council members knew him and liked him. They really liked him," Franco said.

Former Midway Mayor Patton said she was surprised when she learned that Furness had allegedly defrauded not one, but two, utility companies.

"He was very personable," Patton said. "But obviously there were some flaws in his personality, too."

hstevens@sltrib.com

Twitter: @Harry_Stevens

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