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Provo research firm to add more than 1,000 jobs over seven years

By Brice Wallace
The Enterprise

Qualtrics, a research and online survey company based in Provo, will add more than 1,000 jobs in Utah over the next seven years.

The announcement was made last week after the Governor's Office of Economic Development (GOED) board awarded a tax credit incentive of nearly \$10.8 million over seven years, tied to 1,080 new jobs.

The positions are expected to pay 65 percent above the Utah County average wage and 75 percent above that level when benefits are included. The incentive is tied to the wages being at least 25 percent above the county average, including benefits.



Board documents indicate that the expansion will result in capital investment by the company of \$2.4 million, new state wages of \$295.3 million and new state revenue of \$43.1 million over the seven years.

"We know that we will have to work a little bit harder to maintain our headquarters here as we grow, but the tax incentive will help us to do that, to maintain our headquarters here even while we expand globally," Stuart Orgill, co-founder of Qualtrics, told the *see QUALTRICS page 2*

Rapidly rising sales prompt Christopher Kia to expand



Christopher Kia will replace its South Jordan dealership with a new facility, also in South Jordan, at 290 W. 10600 S.

By Barbara Rattle
The Enterprise

Jerry Seiner Dealerships, Salt Lake City, plans to break ground this month for a new and expanded Christopher Kia facility in South Jordan.

The existing Kia dealership in South Jordan, at 10573 S. Jordan Gateway, has become far too small in which to effectively do business because Kia auto sales have been skyrocketing, said Christopher Hemmersmeier, who took over a

majority interest in all the Seiner dealerships from his father-in-law, Jerry Seiner, this year. The Seiner organization also operates a Christopher Kia in Salt Lake City.

"Kia sales in Salt Lake this year versus last year are up 36 percent through the end of October," Hemmersmeier said. "From 2010 to 2011 our dealerships were up over 80 percent, which is larger than the market was up. We just outgrew the [South Jordan]

see KIA page 2

Fed leader: steps we've taken represent 'best course' to move forward

By Brice Wallace
The Enterprise

The leader of the Federal Reserve Bank of San Francisco recently defended Fed moves designed to help the economic recovery.

Speaking to a group of community leaders in Salt Lake City, John C. Williams, the bank's president and chief executive officer, said the Federal Open Market Committee's stepping up of the purchases of longer-term securities and extending the time frame for low short-term interest rates have been positive.

"The steps the Fed has taken over the last few years and up to this date to boost the economy are not a panacea," Williams said. "They won't quickly return our economy to full strength, and I understand that. ... But our policies can help speed the recovery and make it more secure. I'm convinced they represent the best course to move us towards our mandated goals of maximum employment and price

stability, and I'm very hopeful that we'll see further improvement in the economy over the next few years."

To help the economy, the Fed has used large-scale asset purchases — in the form of longer-term Treasury bonds and mortgage-backed securities — and the committee has announced more longer-term Treasury securities purchases. A third asset purchase program changed the composition of the Fed's securities holdings.

The Fed's other monetary stimulus actions have been in the form of public statements about the likely future of the federal funds rate, lowered to nearly zero in 2008. Since August 2011, the Fed has said the rate is expected to stay at very low levels.

"This guidance regarding future policy actions lets the public know that short-term rates are likely to stay low for years to

see FED page 2



Williams

Changes in demography, tech have major implications

By Brice Wallace
The Enterprise

Changes in demography and technology — some under way and some on the way — have implications for businesses in Utah, according to speakers at the Davis Chamber of Commerce's Business & Economic Summit and Training (BEST), which had the theme "Embracing the Radical Future."

Pam Perlich, senior research economist at the Bureau of Economic and Business Research at the University of Utah, spoke about Utah's population shifts and the state's growing global links. In 1950, Utah's overall population was about 500,000 in a state

dominated by mining and federal land interests, but now it stands at about 2.76 million, with both the economy and the people being more diverse.

Partly spurred by the availability of affordable housing and rental housing being attractive to immigrants and young people, areas like the west side of Interstate 15 in Salt Lake City are "minority majority" areas, she said.

"You've got really two Salt Lake Cities, where all of this is evidence that we're at the crossroads of a new era in Utah and all across our nation," Perlich said. "Really, the drivers of that

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FOCUS Weber & Davis Counties
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QUALTRICS

from page 1

board. "There will be jobs outside of Utah that naturally are needed as we expand to other locations."

Qualtrics offers an online software tool that can create and implement surveys, conduct performance evaluations and perform live support. The company has more than 5,000 customers, including more than 50 percent of the Fortune 100 firms, several hundred universities and hundreds of government and nonprofit organizations.

Orgill said customers such as Travelocity, Expedia and cruise lines use the platform for ad hoc surveys of customers, while some companies use it to get feedback from employees and beverage companies use it to manage their store inventories.

Currently with 250 employees, all in Utah, the company was founded in 2002 by three family members and Orgill, a family friend. It has experienced triple-digit growth the past four years. In May, it received a \$70 million investment from Accel Partners and Sequoia Capital in the two firms' largest-ever joint investment — an action that marked the largest first-round investment in a

software company since 2008.

"The intention in taking the funding is to grow the business and grow it globally," Orgill said of that investment.

The \$70 million investment impressed board chairman Mel Lavitt. "It's a very exciting company," he said. "It's one that we certainly want to keep here and grow here. I think we'll all be hearing more about Qualtrics in the future."

Orgill said multiple locations were considered for expansion, including Austin, Texas, which "made a lot of sense" from sales and engineering standpoints.

"One of the things that we are running up against is that we are outstripping our leadership as we are growing so fast as a company," he said. "We are needing more senior leadership faster than we can grow it organically ... so we're having to import leadership from out of state in many cases and we are having to really search and work a little bit harder in order to do that."

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FED

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come, and that puts downward pressure on longer-term interest rates," Williams said. "The evidence ... is pretty strong that this forward guidance has effectively influenced the financial conditions in the way we want it."

In September, the committee announced a new large-scale asset purchase program to buy \$40 billion in mortgage-backed securities each month and said it expects to keep the federal funds rate "exceptionally low" at least through mid-2015 as a way, Williams said, "to make sure this recovery really takes hold."

The policy measures have resulted in low mortgage rates, which Williams described as "a great way to stimulate the economy."

He predicted that real gross domestic product should grow gradually over the next few years. Unemployment likely will remain above 7 percent through at least 2014. Inflation probably will remain below 2 percent for the next few years.

The Fed remains focused on the goals assigned to it by Congress: maximum employment and price stability, he stressed. The current 7.9 percent unemployment rate is well below that "maximum" employment goal. As for the inflation rate, a 2 percent rate "is most consistent" with the congressional mandate, but inflation has averaged only 1.7 percent during the past year.

Williams noted several factors are holding back the economy, including a shift to austerity in fiscal policy and an "economic

drag" from the public sector that he expects will worsen early next year. The so-called "fiscal cliff," a combination of huge federal tax increases and spending cuts slated to occur automatically at the beginning of 2013, is looming.

"If they all occurred at once, we could find ourselves on the brink of a recession again. ... Now, I don't think that's going to happen. I expect Congress will keep us away from the cliff by extending some of the tax reductions and deferring some spending cutbacks. All the same, I expect significant reductions in federal spending and some increases in taxes next year, and that will deepen the drag on the economy."

Williams said the current fourth year of economic recovery is "actually a pretty significant achievement, given how close our financial system came to collapsing just back in late 2008." During the downturn, the economy shrank more than 4.5 percent and unemployment peaked at 10 percent.

But he described the recovery as "stubbornly slow," with jobs recovery "frustratingly slow as well" and the overall recovery lacking "the spark of past rebounds."

"Now, economists have argued quite a bit about that. There's been a lot of research: why is this recovery slower than typical recoveries? In some respects, they've said it's not surprising that our recovery has been as slow as it has when you consider what we went through back in 2007, 2008 and 2009," he said. "Families are buried in debt accumulated during the housing boom, and many now find their homes are worth less than what they paid for them. Millions of homeowners are behind on their mortgages or have already lost their homes. And lenders, burned by their past mistakes, are still tightfisted with credit. All these are explanations for the gradual pace of economic recovery."

But he found encouraging signs in the auto and housing sectors. Auto sales are up 60 percent from their recession lows, fewer homes are going into foreclosure, home prices are rising in many parts of the nation, and housing starts "are up sharply from where they were a year ago," he said.

Uncertainty about the economy also is hampering the recovery, making it difficult for businesses and households to plan for the future. A "general sense of unease" from the rocky path of the economy over the past five years has left people "skittish," Williams said.

"Just about every businessperson I meet tells me that economic uncertainty, in one form or another, and fears about the future make them hesitant to break ground on new projects or boost their payrolls," he said.

KIA

from page 1

facility in the last two years.

"The Kia product line appeals to what people are buying currently. They're great looking, with great warranties — 10 years, 100,000 miles — great design, fuel efficient, all-wheel drive and four-wheel drive options for customer in the SUVs. The Optima has been a strong, strong vehicle and you have a hybrid version of the Optima."

The new Kia dealership will measure approximately 18,000 square feet and be located at 290 W. 10600 S. Local architect James Glascock is working with Kia architects on the design of the facility, which will be built by Cameron Construction and should be ready for occupancy next summer or fall. Hemmersmeier said it will be at least double the size of the existing South Jordan Kia operation, whose future use has yet to be determined.

"We might make it a pre-owned facility; it could be another franchise someday," Hemmersmeier said.

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Alpine Home Medical buys building, expands

By Brice Wallace

The Enterprise

Alpine Home Medical has a new home at 132 E. 13065 S., Draper, and a few card tables used at its former headquarters are no more.

The company acquired and two weeks ago moved into the two-story building at the site and is using the 10,000 square foot top floor for offices.

"First and foremost, it gives us extra room," said Jay Broadbent, chief executive officer. "We were just bursting at the seams at our old location. This [move] was really out of need. We could see that with current growth, we were running out of space very quickly.

"When we built our Salt Lake location on State Street, the plan was for us to be there about 10 years," Broadbent said. "We were there for six and just bulging at the seams. We couldn't stay there anymore. We had three ladies working on card tables and every time I'd walk by them, I would apologize. They'd just say,

'We understand.'"

Alpine Home Medical offers lift chairs, wheelchairs, sleep therapy equipment, bathroom safety equipment, respiratory equipment and other items for people to use at home rather than move into a nursing home, assisted living facility or hospital. Most of its business involves equipment rental. Alpine has nine facilities, from St. George to Logan, and nearly 150 employees. Some facilities are for retail activities, while others are offices or warehouses. The group includes a location in Richfield, where Alpine recently acquired ReMed Medical.

The company split its Salt Lake City operations at 4030 S. State St., with about 40 people moving to Draper and about the same number remaining in about 5,500 square feet at the State Street site. The remaining group includes operations, delivery and customer service staff. The Draper office includes all accounting functions, the accounts receivable team and the clinical staff.

After making the \$2 mil-

lion building acquisition with help from First Utah Bank, the company moved in. The bottom floor is rented to Pentalon Construction Inc. and Physician Licensing Service. "But part of our expansion plan is that as the company grows, there will be opportunities to expand into the downstairs," Broadbent said.

The building acquisition is another growth step for the company, founded in 1997 by a trio that included Broadbent. Alpine has seen year-over-year revenue growth between 20 percent and 45 percent the past few years.

"We've really had just good, consistent growth since about 2003," he said. "We were very fortunate with the downturn of economy. I can't say we didn't feel any effects of it, but, for the most part, our industry is a little bit recession-proof. When people need health care, it's not something you can put off."

Alpine purchased its new location with the help of Coldwell Banker Commercial's Brandon Fugal.

Workday to double size of Utah expansion

By Brice Wallace

The Enterprise

Workday, a California-based software-as-a-solution company, will double the size of its Utah expansion.

The company earlier this year had been approved for an expansion incentive by the Governor's Office of Economic Development (GOED) board for 250 new jobs, but last week was awarded an incentive revised to make the new-job count reach 500.

"One of the things they found quickly is what most companies find when they move to Utah, [which is] that it's a great opportunity to expand, and that speaks to both power rates, downtown real estate rates, ease of doing business," said Chris Conabee, GOED's managing director of corporate recruitment and incentives.

The jobs will be added over 15 years, with most coming between the fourth and 15th years, he said.

Workday has already set up shop in Utah, in the Salt Lake Chamber building at 175 E. 400 S.

The incentive approved earlier this year was a \$2.7 million tax credit over 10 years, but last week's action occurred before an agreement was signed for the earlier incentive. The new incentive totals nearly \$8.4 million and is tied to the 500 jobs paying at least 25 percent above the Salt Lake County average annual wage, including benefits.

Board documents indicate the expansion represents a capital investment of \$20 million and will mean new state wages of more than \$719.3 million and new state tax revenue of more than \$54 million over 15 years.

Based in Pleasanton, Calif., Workday provides products for managing global businesses. It was founded in 2005 by PeopleSoft veterans Dave Duffield and Aneel Bhusri and has nearly 300 customers, from medium-sized organizations to Fortune 50 businesses. It has more than 1,500 employees worldwide.

"I think this is a great story about a California company doubling-down on the Utah expansion," David Baird of

Economic Solutions Group, representing Workday, told the board. "[Workday] had very, very good incremental initial hiring success here but they're extremely optimistic in expanding their footprint in the state of Utah, which is great because these jobs were in competition with northern California. It's a great, great example of how you've got California intellect and capital looking to come to Utah and double down."

Royal Bank of Scotland has state tax incentive altered at its request

Royal Bank of Scotland has had a state incentive revised that will reduce the tax credit it will receive while growing by 50 the number of jobs committed to Utah.

In June 2010, RBS Securities Inc., whose holding group is the Royal Bank of Scotland Group, was approved for an \$8.6 million tax credit incentive by the Governor's Office of Economic Development (GOED) board. The incentive was tied to 260 new jobs over 15 years, with the jobs paying at least 75 percent above the Salt Lake County average annual wage.

The board last week altered the incentive, at the company's request, so that the wages for the Taylorsville project will be at

least 25 percent above the county average. The new incentive, a tax credit of nearly \$5.3 million, increases the new-job total to 310.

The expansion represents a capital investment of more than \$2.6 million. The jobs are expected to result in new state wages of \$286.6 million and new state revenue of more than \$21 million over 15 years.

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CHANGES

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change clearly are our connections to the outside world. Not too long ago, we really, truly were a little bitty place out in the middle of nowhere, just like the mayor of London called us. But right now, we are connected to the outside world through labor markets and financial markets ... and product markets."

Utah has become a magnet for newcomers because of economic opportunities, strong universities and a "Mormon sales force" whose work reflects positively on Utah wherever missionaries go, she said.

"This new Utah we see transforming and appearing before our very eyes is one that is more multiracial and more multicultural and more multi-ethnic and more multilingual, and it is profoundly concentrated, this change, in our youth," she said.

That is especially true in the very young. One-fourth of Utah pre-school-age children are minorities, she said. The figure is 35 percent for Salt Lake County, 50 percent in Salt Lake City and 49 percent nationwide. In the so-called River District of Salt Lake City west of I-15, the figure is 80 percent.

"Here are most of us sitting in

this room and we're making decisions, and if we're not recognizing the changes that have occurred here, then we're really missing the boat," she said. "We're into new territory here. The changes that are occurring are cumulative and ongoing, emphatic and important. If we think we can govern and plan policies and facilities based on our experiences growing up, then we are completely missing the boat."

"This is a new day in Utah. It gives us access to new intellectual and cultural and linguistic traditions at the very time that we are trying to connect productively to the outside world. This is the new Utah."

But both Perlich and Jim Smith, president and chief executive officer of the Davis chamber, stressed that Utahns should not be passive about the changes.

"I sometimes hear people say, 'I don't want it to change.' I'm sure there are people here who have heard that," Davis said. "That is just not an option. Things are going to change. So, the goal should be for us to be involved in shaping the way those changes take place in Davis County."

"People, the future is not a planet that we're on our way to," Perlich said. "The future is something that we're in the process of creating together and we have the

"This new Utah we see transforming and appearing before our very eyes is one that is more multiracial and more multicultural and more multi-ethnic and more multilingual, and it is profoundly concentrated, this change, in our youth."

capacity to change how the future will unfold. As we acquiesce to that [idea that] there's nothing we can do, then we guarantee that a certain future will just roll over us. But, of course, that's not the case. ... We can change how the future unfolds in Utah and in our communities."

On technology topics, several speakers demonstrated tech enhancements that Utahns and other people worldwide will enjoy in the future.

Alan Hashimoto, associate professor of graphic design at Utah State University, described how "gamification" — video game technology being used for activities other than games — will help train people in new and exciting ways. One game he demonstrated uses visualization to teach how

blood cells work. Another allows first responders to learn how better to cooperate with each other during an emergency. In yet another, home inspectors can use a game as a slick way to obtain certification to better assess older homes' energy efficiency.

"It's all about engaging people," Hashimoto said. "It's supposed to encourage certain behaviors. Also, in the long run, it takes advantage of human psychological predisposition to engage in games. We all, whether we like it or not, have a propensity to want to play games, and it's an easier way to learn."

Todd Marriott, executive director of the Utah Telecommunication Open Infrastructure Agency (UTOPIA), showed how "cloud" computing

will allow information to be displayed on glass tablets and video walls and other devices. Doctors will use the technology to remotely diagnose an ear infection and prescribe medication to be delivered to the sufferer's door, while sensors placed inside bodies will enable detection of major health issues quickly.

Medical applications already are being exploited by Holorad, a Salt Lake-based company specializing in holograms. The company's glasses-free technology is resolution-intensive — a hologram has 800 billion pixels, the equivalent of a quarter-million iPad 3s — but has been used for surgery planning. This fall, the company will roll out holographic signage.

Daniel Burman, president and chief executive officer, said the technology could be used to create three-dimensional theme park characters or perhaps a holographic "person" who would chat with potential customers outside a store or even conduct product demonstrations.

"This is here now. There are many applications for it for the future," Burman said, adding that the company has been contacted about using the technology for geophysical exploration, architecture design and teleconferencing. "The scope of what we can do keeps growing every day."

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Utah tops in country in home broadband adoption

By **Brice Wallace**
The Enterprise

For Utah companies wanting to use technology to serve customers, reach new customers or partners or otherwise grow their business, there's some continued good news: Utah remains tops in the country in home broadband adoption and most of the state has access to broadband speeds able to handle business-oriented services.

Tara Thue, manager of the Utah Broadband Project in the Governor's Office of Economic Development (GOED), and Bert Granberg, manager of the State Geographic Information Database Group, told the legislature's Public Utilities and Technology Interim Committee that Utah's broadband service is indeed broad.

Many areas are served by fiber optic lines, while others have wireline-based service such as DSL or cable. Other areas with no landline service tap into mobile broadband technology.

"We've got a really good variety — one of the reasons why the state is No. 1," Granberg said at the committee's October meeting. "Utah has good speeds across the state, starting with the Wasatch Front. The rural speeds are a little bit slower. There are some amazing success stories out in the rural areas, but there are a few places we've got to work on."

Thue said "only a fraction" of 1 percent of Utah households are unserved by even basic levels of broadband service. Most, about 95 percent, have service at high speeds, usually about 10 megabits per second (Mbps) downstream and 3 Mbps upstream. That level is adequate for home office and entertainment activities that are more advanced than e-mail and Web surfing: conducting two-way videoconferencing; streaming high-definition content; transferring, uploading and downloading large files quickly; and running multiple Internet-based applications simultaneously.

Speeds needed for economic- or business-oriented services — which Thue said was about 25 Mbps downstream and 10 Mbps upstream — are available to 85 percent of Utah households. That speed can handle very fast file transfers, commercial-grade Internet-based applications, high-definition two-way videoconferencing and streaming live audio and video.

As for mobile broadband network speeds, "we've got a pretty good 4G (about 6 Mbps) footprint along the Wasatch Front," Granberg said. "The Uintah Basin is turning on a pretty comprehensive service. We also have basic mobile broadband in most of the major transportation corridors in most of the populated places and a

few pockets of 3G service."

Thue said the council works with more than 50 broadband providers in the state, and she urged legislators to support continued planning and coordination of service throughout Utah.

"It strikes me as very related to the electrification in the early 1900s, and while this may not be a top political issue for any candidate right now, it may be in the future," she said.

She added that Utah enjoys a higher level of broadband con-

nectivity than many other states with similar population densities and geographies, due mostly to "unprecedented" partnerships between public and private entities. "Many of these partnerships

are very unique to Utah and we are constantly being approached by others states asking how we did it, how we achieved this level of coordination, and it's really amazing what we've been able to do so

Speeds needed for economic- or business-oriented services — about 25 Mbps downstream and 10 Mbps upstream — are available to 85 percent of Utah households.

far," she said.

The Utah Broadband Advisory Council is a voluntary group of stakeholders formed in June 2011 to study broadband availability. The Utah Broadband Project is a collaborative effort among GOED, the Utah Public Service Commission and the Department of Technology Services' Automated Geographic Reference Center.

Details about Utah broadband availability are at broadband.utah.gov.

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• Calendar •

• Nov. 13, 7:15-9 a.m.: **Association for Corporate Growth Utah November Breakfast Meeting.** Guest speaker Dr. Jin Wang is currently Dean of the Bill and Vieve Gore School of Business, which is a part of Westminster College, Salt Lake City. He will speak about "Xtreme Business: Jumping the S Curve." The explosive business growth in Utah over the past several years has created an unparalleled climate for growing companies on the path to hitting and moving beyond the \$20 million, \$50 million and \$100 million-plus revenue growth levels. To attain this trajectory, companies first must learn and achieve the ability to not just grow, but to grow intelligently, to plan and avoid the pitfalls common to growing companies that can ultimately be avoided if process and strategy are implemented smartly and managed wisely. Location is the Little America Hotel, 500 S. Main St., Salt Lake City. Free to ACG members, nonmembers pay \$30. Register at acgutah.org.

• Nov. 13, 7 p.m.: **"Help Wanted: Why Business Needs Good Writers,"** sponsored by the University of Utah Communications Department. Presenter will be Shauna Bona, co-president of McKinnon-Mulherin. Location is the Idaho Room at the

Little America Hotel, 500 S. Main St., Salt Lake City. Free.

• Nov. 14, 3-5 p.m.: **"Financing Growth/Raising Capital in Today's Economy,"** a Utah Technology Council (UTC) P2P Forum event. Greg Warnock, co-founder and managing director of Mercato Partners, will discuss financing growth and raising capital in today's economy. Location is Holland & Hart LLP, 222 S. Main St., Suite 2200, Salt Lake City. Free for UTC members. Details are at www.utahtech.org or by calling (801) 568-3500.

• Nov. 14, 9:30-9:30 a.m.: **"Get Refunds on Your Import Duties with Duty Drawback"** seminar, hosted by the World Trade Center Utah. Troy Larkin of CITTA Brokerage Co. will discuss saving money through the duty drawback program. Drawback is a refund of duties previously paid to U.S. Customs. Duties are paid when goods are imported, and drawback of those duties may be claimed when the same goods are exported. There are several categories of drawback, and those differences affect procedures for making claims. The seminar will cover the types of exports that qualify for drawback, people eligible to claim drawback, how to claim drawback on an individual export, steps involved in a full

drawback program, and some of the activity's complexities. Seminar is free. Location is World Trade Center at City Creek, Canyonlands Conference Room, 60 E. South Temple, No. 300, Salt Lake City. Details are at www.wtcutah.com.

• Nov. 15, noon-1:30 p.m.: **Lien Law Presentation,** sponsored by the American Society of Professional Estimators. Presenters will be from the law firm of Babcock, Scott, & Babcock. Location is the DoubleTree Suites by Hilton, 110 W. 600 S., Salt Lake City. Cost is \$25 for ASPE members, \$35 for nonmembers, lunch included. Register with James Coutts at james.coutts@ecislc.com or by fax at (801) 288-1184.

• Nov. 15, 8 a.m.-5 p.m.: **36th Annual American Express Women & Business Conference.** Gail Miller of the Larry H. Miller Group will be honored as the 2012 Salt Lake Chamber Athena Award recipient. Honored as Pathfinders will be Dr. Sarah George of the Natural History Museum of Utah, Debra Hoyt of Questar Corp., Dr. Vivian Lee of University of Utah Health Science, Dr. Susan Madsen of Utah Valley University and Molly Mazzolini of Infinite Scale. Location is the Little America Hotel, 500 S. Main St., Salt Lake City. Cost varies. For more information and to register, visit www.slchamber.com/womenandbusiness.

slchamber.com/womenandbusiness.

• Nov. 15, 9:30 a.m.: **Building Owners and Managers Association (BOMA Utah) Medical Office Building Symposium.** Location is the Intermountain Healthcare Doty Education Center, 5300 S. State St., Salt Lake City. Cost is \$35 for BOMA members, \$50 for nonmembers. Register at BOMAUtah.org.

• Nov. 30, 6 p.m.: **Utah Technology Council Hall of Fame Dinner.** Keynote speaker will be Jeff Bezos, founder and CEO of Amazon.com. Being inducted into the hall of fame will be Josh James, founder, CEO and chairman of Domo; and Fred Lampropoulos, president, CEO and chairman of Merit Medical. Location is the Grand America Hotel, 555 S. Main St., Salt Lake City. Cost is \$275 for council members, \$400 for nonmembers. Tables can also be purchased. For more information and to register, visit www.utahtech.org.

• Dec. 6-7: **Summit Director & Officer Training Conference,** an annual forum dedicated to helping the boards of public, pre-IPO and private companies improve corporate governance and best practices. Conference presenters will include leading executives,

corporate directors, policymakers, educators and experts from the legal and financial services industries. Location is the Montage Hotel, Deer Valley. Earlybird registration is \$500. For more information and to register, visit summitconf.org.

• Dec. 11, 3-5 p.m.: **"Best of Marketing 2012 — Starring You,"** a Utah Technology Council (UTC) Exec P2P Forum event. Each attendee will be given five minutes to share their marketing successes in 2012. Event is reserved for the senior person responsible for marketing at a UTC technology company. Location to be determined. Free for UTC members. Details are at www.utahtech.org or by calling (801) 568-3500.

• Dec. 13, 7:30-10 a.m.: **"Public Relations' New Era: Techniques for Advancing a Company's Reputations, Customer Engagement and Sales Online,"** a Utah Technology Council annual PR event. Three breakout sessions will examine new and advanced methods of communications available online and available free of charge. Location is Neumont University, 10701 S. River Front Parkway, Room 200, South Jordan. Cost is \$15 for UTC members, \$30 for nonmembers. Details are at www.utahtech.org or by calling (801) 568-3500.

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• Industry Briefs •

ARTS/ENTERTAINMENT

• The **Utah Arts Festival Gallery and Art Access Utah**, 230 S. 500 W., Salt Lake City, will debut new exhibits with opening receptions 6 p.m. to 9 p.m. Nov. 16. The openings coincide with the monthly **Salt Lake Gallery Stroll**. The galleries also celebrate with receptions during December's **Holiday Stroll**, 6 p.m. to 9 p.m. Dec. 7. For further information on Art Access and Access II, call (801) 328-0703 or go to www.accessart.org.

BANKING

• **Bank of Utah** has added five bankers to its teams in Ogden and Salt Lake City. **Nathan A. Anderson** has joined Bank of Utah to serve as vice president of regional residential construction lending. Most recently he served as a residential construction loan officer and manager at First Utah Bank. **Paul McKinney** is a new loan originator at Bank of Utah's South Towne office. McKinney attended the University of Tennessee, and then moved to Salt Lake City in 1990 to work in land surveying and subdivision design. In 1996 he acquired a real estate license and has worked in residential real estate for the past 16 years. **Tyler Judkins** joined Bank of Utah as a leading commercial lender and portfolio

manager for the bank's Salt Lake region. He brings more than 12 years of experience in the commercial finance field. Bank of Utah has hired **Brian Wahlen** to serve as portfolio manager in the Ogden area. For five years he served as a commercial loan and SBA loan underwriter with America First Credit Union. Wahlen also worked for three years as a hedge fund accountant with JD Clark & Co. **John Ward** recently started work at Bank of Utah's Redwood Road Branch as vice president and relationship manager. In past banking positions, Ward was responsible for managing portfolios with up to \$40 million in credit.

• Tooele-based **HeritageWest Credit Union** recently assembled and donated more than 100 hygiene kits and non-perishable lunches to support Tooele families in crisis. The project was completed in partnership with the nonprofit **Tooele County Relief Services**, which was established to assist local churches and agencies that support individuals and families in crisis due to a lack of food and shelter.

• **TAB Bank**, Ogden, has appointed **Burton May** as chief operating officer. May has been with TAB since 2003, most recently serving in the role of vice president of deposit and card operations. Before coming to TAB,

May worked for over eight years for Accenture in its Dallas office as a senior manager in their talent and organization practice.

• **Westminster College's** Center for Entrepreneurship will host the **Banking on Women program** beginning in January. Applications are available online through Nov. 15 at www.gecapital.com/en/banking_on_women.html. Launched two years ago, GE Capital's Banking on Women helps female entrepreneurs to jump-start their own businesses by providing specialized training, mentorship and access to a microenterprise loan. In addition to the 15-week intensive course for low to moderate income women, participants receive continued support once

their business is launched. By investing in women entrepreneurs, the program supports job creation, retention and economic development in Salt Lake City.

• **Brighton Bank** has again been recognized by **BauerFinancial Inc.**, an independent financial rating company, with its highest **5-Star Superior Rating**, based on June 30, 2012, financial results. A 5-Star rating signifies that Brighton Bank is among of the strongest banks in the nation. This represents the 92nd consecutive month the Bank has carried this recognition.

COMPUTERS/ SOFTWARE

• **Domo** founder and

CEO **Josh James**, who is also known for his leadership of Omniture and its eventual \$1.8 billion sale to Adobe, is joining the board of directors of Provo-based **InsideSales.com**, a sales automation and analytics platform for inside sales professionals. InsideSales.com also announced earlier this year that James invested in the company in the same funding round led by Hummer Winblad Venture Partners and several other SaaS industry leaders.

CONSTRUCTION

• The 13-story office building at **257 E. 200 S.** in downtown Salt Lake City is currently **undergo-**
continued on page 9

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ing an extensive remodel of the front entry plaza. The redesigned pedestrian entrance will include new stairs, benches and structured canopies with night-time illumination. In addition, the exterior of the building is being cleaned and repainted. Renovations will also include updates to common areas and restrooms on the five top floors of the building, which totals 100,000 square feet. The remodel is in progress and will be complete in this month. Method Studio is the

architect and Layton Construction will oversee renovation construction. Nearon Enterprises is the owner of the structure.

FINANCE

• **GrowAmerica**, the organization founded by entrepreneur, author and philanthropist Alan E. Hall, has selected the winners of \$250,000 in cash and awards at the **Utah Fall Springboard competition event**. With the help of judges Fraser Bullock, Amy Rees Anderson and Will West, togeth-

er with audience voting, Grow America selected the following winners at the Utah Salt Palace Final Pitch competition event: Growth Category: 1st Place: Crio, Inc. - \$100,000; 2nd Place: Contact Point - \$50,000; 3rd Place: Kisstix - \$20,000; Crowd Vote: Crio bru - \$10,500. Startup Category: 1st Place: Jigabot - \$25,000; 2nd Place: Active Alarm - \$15,000; 3rd Place: Spider Tie - \$5,000; Crowd Vote: Jigabot - \$3,500. Idea Category: 1st Place: Pop Alcorn - \$10,000; 2nd Place:

Grass Wire - \$7,500; 3rd Place: Doctor Board - \$3,500.

INSURANCE

• The **United States Department of Labor** recognized the **Utah Department of Workforce Services** with **Awards of Excellence** in three separate functions of its unemployment insurance program: unemployment benefit payments, appeals decisions and tax operations. The announcement that one state had received all three awards for the

second year in a row is unprecedented in the 77-year history of the unemployment insurance program. The awards have traditionally been presented to several states, but this year Utah was recognized as the top performer among medium-sized states in all three categories.

• Salt Lake City-based **The MGIS Companies Inc.**, a leading provider of insurance products and services specifically for physicians, has named **Steven J. Lempp**
continued on page 11

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Let's turn the answers on.





Legal Matters

The best advice a divorce lawyer can give

As a divorce lawyer who handles complex cases, I get asked frequently to comment and write on issues related to divorce. I am asked to address issues related to asset protection and distribution, custody, spousal support, taxes and a whole host of other things. Here, I resist the urge to address, yet again, how to preserve your assets in divorce or those other topics. Rather, I give you the best advice I think a divorce lawyer can give — don't come to me. Allow me to explain.

Divorce is Complicated — Because You Were Married

As you can imagine, I see and hear heartache. Nearly every day, a new story comes into my office speaking of anger, resentment, betrayal and upset. With each new client, I take the time to discuss the process of divorce. I also take the time to address concerns over cost, timing and speed, and the toll the divorce process

takes on individuals and families. Almost regardless of the circumstances of a situation, it is complicated. It is complicated because you were married. Think about the process and time that is devoted to courting and marriage, how your lives were intertwined, and that people have strong, deep and emotional feelings that can't be severed in an afternoon.



Bryant McConkie

The Process of Divorce

Divorce begins like any other lawsuit — with a complaint.

Despite the fact that divorce is nothing like a commercial or criminal case, we force divorces through the same process, and there are certainly some limitations. Divorce through litigation is not exactly a process that builds cooperation and understanding. As if the process of divorce were not hard enough, this uniquely family problem walks the same path as other lawsuits.

Having filed the complaint, the complaint is served on the other spouse. Once served, the other spouse has 20 days (30 if the other spouse is served out of the state) to file an answer. The answer, when compared with the complaint, defines the issues that will be covered during litigation. If any allegation in the complaint is denied in the answer, the case is officially "contested."

When the basic issues are clear, the parties enter a period called discovery. In discovery, using techniques similar to all other litigated cases, lawyers in divorce try to create a clear picture of what is going on. We try to discover what property exists, how much things are worth and how much equity there is in that property. Lawyers try to determine whether the property is marital (subject to division by the court) or non-marital. When there are children, we sharpen our focus and gain clarity by using experts. Using the facts that are available

and often relying on the insight of an expert, lawyers try to discover what is in the best interest of the children.

If the parties are unable to resolve their differences, the case may be tried in front of a judge. If tried, the parties give their control to the court and the court has the final say. Having tried many cases, I have yet to hear a client walk out of the courtroom and feel like their confusion and concerns have been addressed.

Divorce Mediation

Perhaps the best chance for parties to maintain control and resolve their differences in a productive way is through mediation. Mediation is assisted negotiation where a neutral third party helps the parties resolve concerns, develop and define issues and come to agreements. The mediator does not have authority to determine outcomes or render decisions. Rarely do parties leave mediation totally satisfied, but they often leave having resolved their case (two very

different things). At mediation, parties often feel heard. Parties are often able to address concerns that a court may just gloss over because the law does not effectively cover the area of concern.

What is the Point?

What is the point of me telling you not to come to me and describing the divorce process? How does my telling you about the basic divorce process and its limitations relate to me saying the best advice I can give is don't come to me? Well, the answers to these questions are relatively simple.

First, my advice is don't give up too early on your relationship. Regardless of whether you have children, remember that you have invested a great deal of time and effort into your relationship. Don't toss it aside too early, even if there are problems. There are good counselors and people who can help get things on track.

Second, be trustworthy.

see DIVORCE next page



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DIVORCE

from previous page

Whether you divorce or not, the divorce process goes more smoothly when you have been trustworthy in the relationship — even as it deteriorates. Ironically, being trustworthy can save you a lot of money in litigation. Don't hide money, don't hide assets, and don't play games with spending. These types of behaviors don't often work, and they are easy to discover.

Third, be empathetic and sensitive to your partner. If you work hard to consider how your actions, attitudes and habits affect someone else, you will be a better partner. If you are divorcing, empathy and sensitivity can also reap very real benefits in the divorce process. These traits help break down emotional walls and that means that we can move more quickly and effectively. Remember that even though you have divorced, you may still need to interact with your spouse. A positive relationship after a divorce will give you closure and allow you to move on in a healthy manner.

So remember, stay away from my office by not giving up too easily. Be trustworthy and sensitive to your partner. These are attributes that will benefit you in your relationships. Ironically, they are also attributes that will serve you well in the divorce process.

If you end up in my office, it usually means something is not going well. Remember, that when/if it hits the fan and divorce is imminent, the sun comes up at the conclusion of the divorce process. If you have good counsel, you will be guided through the process in as sensitive (yet thorough and appropriately aggressive) a way as is possible. Don't get discouraged.

Bryant J. McConkie is a shareholder at Strong & Hanni Law Firm and is the Family Law group leader. His primary role is to work together with clients to deal with and resolve legal issues occurring during family disputes. McConkie is also an expert in nontraditional alternatives to litigation, and has participated in over 800 hours of Alternative Dispute Resolution (ADR) training. He can be at bmconkie@strongandhanni.com or (801) 532-7080.

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regional vice president of sales, medical professional liability (MPL), covering the eastern region; and Matthew B. Ririe has been appointed regional vice president of sales, group disability (LTD), covering the western region. Lempp has served in executive positions at MGIS since 2001. Ririe, a licensed CPA with a master of accountancy, joins MGIS from PricewaterhouseCoopers.

• **Utah Business Insurance Co.**, Sandy, has selected **Clarissa Crisp** to take on the role of controller. As a Certified Financial Examiner, Crisp was most recently employed by the state of Utah Insurance Department, acting as the examiner-in-charge; before that she worked as a credit manager for KSTU Fox13. UBIC is a workers' compensation specialist.

LAW

• **Francis M. Wikstrom**, a shareholder in **Parsons Behle & Latimer's** Salt Lake City office, has been elected secretary of the **American College of Trial Lawyers**. He has the distinction of being the first Fellow from Utah to serve as an officer of the college. Wikstrom has served on the college's board of regents for four years. Wikstrom practices complex civil litigation and white collar criminal defense, and has tried cases in numerous jurisdictions involving patent infringement, trade

secrets, contracts, real property and numerous other commercial issues.

• On the 40th anniversary of the passage of Title IX, **Ballard Spahr** and Salt Lake City litigation partner **Mark R. Gaylord** are being recognized by the **American Bar Association** for helping women athletes win equal opportunity on the playing field through their trailblazing pro bono efforts spanning two decades. On Nov. 1, the firm received the 2012 Frances Perkins Public Service Award from the ABA's Section of Labor and Employment Law in Atlanta.

MEDIA/MARKETING

• National digital marketing agency **Axis41**, Salt Lake City, announced its official relationship with **Adobe** as a Solution Partner, providing solutions and technologies that leverage Adobe software and services. In the last 18 months, Axis41 has assisted Adobe directly with CQ architecture, design and implementation for several of Adobe's own sites as well as CQ curriculum development for training.

• **Benjamin Tateoka** was promoted to vice president of **The Walton Group Inc.**, a public relations and advertising firm in Provo. Tateoka started at The Walton Group as an account coordinator and then promoted to an account supervisor. He is a graduate of BYU's public relations

program. While studying at BYU, Tateoka worked as a communication specialist intern at Intermountain Healthcare Provo, account coordinator for Bradley PR and Spanish instructor at the LDS Missionary Training Center.

REAL ESTATE

• The Utah CCIM chapter has recognized a chapter member who recently earned the **Certified Commercial Investment Member (CCIM)** designation from the CCIM Institute, one of the leading commercial real estate associations in the world. Awarded the designation at the institute's business meetings in Las Vegas was **Brenda Dutson** of **BDRE Commercial**. She was among 215 commercial real estate professionals who passed the CCIM Comprehensive Examination, the final component in the designation process.

• **Coldwell Banker Residential Brokerage** has appointed **Linda Geer**, an award-winning veteran Realtor with the company, as the manager of its Draper office. One of Coldwell Banker's top agents for more than 25 years, Geer most recently with the company's office in Sandy. In her new role, Geer will oversee a Draper's sales team of more than 25 real estate professionals.

continued on next page

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When you purchase a few hundred dollars' worth of paper for thousands of dollars, it can be difficult to view the paper as simply a commodity. After all, if there is some way to buy this same amount of paper for less, would you not be better off? Nothing could be further from the truth!

It is true that structural engineers deliver a tangible product on paper in the form of structural drawings and supporting structural calculations; however, what is reflected on those drawings can have significant financial consequences. To believe that there are only limited solutions that different structural engineers can propose could be a big mistake. To perceive that the main objective of needing a structural engineer is to obtain a building permit is an equally big mistake. Failing to realize the impact that a structural engineer has on the construction cost of a building is probably the biggest mistake of all.

An experienced structural engineer has the ability to mitigate poor design decisions and bring value to the owner. They can "work magic" with the design architect in achieving a cost effective solution for the owner. A less experienced structural engineer may have the ability to obtain a building permit but with a significant cost impact to the building. Where is the "value" in hiring a less expensive, less experienced structural engineer? A

good structural engineer should be able to save at least 25 times the difference in design fees in construction cost savings. Most owners would elect to take advantage of this service.



Ronald Dunn

Why is there a market for a less experienced structural engineer if they are trumped in value by a more experienced one? I offer two reasons. One, everybody needs to start in their career. Young structural engineers need to find mentors and work in those offices where they can gain this valuable experience. Through this experience they can learn the value of professional service. Two, structural engineers are often hired by those without a vested interest in the structural costs of the building and more interested in utilizing their consultants as a profit center to their own practice. Structural engineers can often be shielded from the ownership group who directly benefits from their service.

It is my recommendation that owners inquire about and have input on who "their" structural engineer is for their project. Talk with them, interview them and decide if the money they may save in design fees is in fact money saved.

Ronald Dunn is the owner and founder of Dunn Associates Inc., a structural engineering firm in Salt Lake City. Since founding Dunn Associates in 1995, he has been directly responsible for structural designs as well as supervising a large staff of professional engineers.

from previous page

• The Salt Lake City office of **CBRE** announced the addition of several new employees. **Bill Parry** joined the firm as project management director. He will oversee build-to-suit designs, tenant improvements and project management jobs throughout the Wasatch Front market. **Richard Schmid** joined CBRE as a researcher. Schmid will specialize in industrial market data collection. **Mary Holliger-Wright** joined CBRE as a researcher. She will focus on database organization and expanding market coverage. **Emily Mellor** joined CBRE as a marketing coordinator. She also is a licensed real estate agent. **Taylor Dahle** joined CBRE as sales associate for the CBRE retail team of Russ Harris and JR Moore. Taylor previously worked in commercial real estate development with Dahle Investments. **Stan Sunday** recently joined the firm as a transaction manager for CBRE's global corporate services team. He previously worked for The Boyer Co., LDS Church and NovaSource Development.

RETAIL

• **Charming Charlie**, a Houston-based chain of more than 200 fashion accessories stores, is slated to **enter the Utah market** next June 11 with a store at Station Park in Farmington. A company spokesperson said the 6,650 square foot store is the only Utah location planned at this time. Founded in 2004, the company retails jewelry, handbags, belts, scarves, etc., all grouped by color rather than category.

• **Harmons Grocery Stores** is once again feeding Utah's hungry this holiday season through its annual **Gift for a Gift Thanksgiving turkey drive**. Now in its 15th year, the program provides turkeys to more than 8,000 families each Thanksgiving thanks to donations and support by Harmons and Harmons' customers. The community can get involved to help make Thanksgiving dinner a reality for families in need by purchasing a \$10 tax-deductible turkey certificate at any Harmons through Nov. 18. Donations can also be made online by logging on to harmonsgrocery.com. All donations collected will be used to purchase Thanksgiving turkeys that will be distributed to food pantries throughout Salt Lake, St. George, Orem and Ogden.

• The **New Car Dealers of Utah** has made a \$1,500 donation to the Utah-based nonprofit organization **Circle the Wagons**. The donation is being made through the New Car Dealers of Utah's Good Wheels charitable pro-

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gram. Circle the Wagons provides survivors of violent crime with information and resources to help them recover from the trauma of the experience.

- The **Downtown Alliance**, Salt Lake City, is launching a series of “**Pop-Up**” **Winter Farmers’ Markets** with a local food focus. These one-day events will be held monthly (November-April) at different downtown locations. The first market will be held on Nov. 17 from 10 a.m. to 3 p.m. at **Rico Foods Warehouse**, 545 W. 700 S., Salt Lake City. The pop-up concept offers only dates, times and themes in advance; location and vendor lists are announced two weeks prior. A variety of nearly 50 local vendors offering locally grown produce, local meat, cheeses, dairy, baked goods, artisanal food, food trucks and more will be found at each market.

SERVICES

- **Larkin Mortuary**, Salt Lake City, is **seeking Utah veterans** to honor during **Utah Jazz games** throughout the 2012-2013 season. Veterans can now be nominated on Larkin Mortuary’s Facebook page ([facebook.com/LarkinCaresUtah](https://www.facebook.com/LarkinCaresUtah)) to receive two tickets to a Utah Jazz game and recognition during the game to honor them for their service. To be eligible for selection, all nominations must contain a photo and story of a Utah veteran. Nominations will also be accepted at Veteran@LarkinMortuary.com.

- **Square Care**, a Salt Lake City-based carpet and upholstery maintenance firm, has added **Brit Hayman** to its team. He has a background in facilities management and maintenance. Square Care has been providing green cleaning and maintenance of data environments, access flooring, carpet, textiles and upholstery to commercial clients since 1990.

TRANSPORTATION

- The **Federal Aviation Administration** has awarded several grants to the **Salt Lake City Department of Airports** for projects at Salt Lake City International Airport and South Valley Regional Airport in West Jordan. The amounts include \$9 million for runway de-icing pad relocation at Salt Lake International, \$500,000 to develop a sustainability master plan for Salt Lake International, \$906,000 for a drainage project at South Valley Regional and \$10 million for the rehabilitation of a runway at Salt Lake International.

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What makes referrals happen? Your actions, not your asking

I'm angry about the misinformation offered by "experts" about referrals.

I'm not angry that the majority of their information is totally off base and bogus. I'm angry you might believe it, take it to heart, try it, fail miserably and lose both relationships and customers.

My anger centers around the word "ask." Some idiot, er, I mean expert, said you must ask in order to receive your fair share. He drove on to state there's a "Rule of 20-60-20." He claims that 20 percent of your customers will always give you a referral, 60 percent will give you a referral only if you ask them, and 20 percent will never give you one.

Where on earth did that rule come from?

Pareto (the creator of the 1906 80-20 Principle that was later redefined by Joseph Moses Juran in 1941) is turning over in his grave at people who make up statistics with zero basis in fact.

Your boss will tell you, "As soon as you make a sale, ask for a referral."

Reality: There is no worse time to ask.

Or your boss will remind you, "Don't forget to ask for referrals."

This is just as ridiculous.

If you're determined to ask, you had better know when to ask. Too early and you're dead. At least let the relationship blossom. At least let your product or service begin to evolve into a favorable outcome.

General rules of asking for a referral: If it feels awkward, don't ask. If you don't have a solid relationship, don't ask. If you ask for a referral and don't get one, don't ask again.

My rule of ask: Don't ask. Earn.

There are six major consequences of asking for a referral:

1. You create unnecessary tension in your relationship.
2. You may not have done anything to earn one yet.
3. You put your customer in an awkward position.
4. If you don't get one, consider it a report card, not a lack of response.
5. If you follow up with an e-mail or a phone call "reminding" your customer you haven't received the referral you asked for, it could destroy the relationship.
6. If you call and ask, and they don't give you one, and you call and ask again, it's likely they'll never take your call again.

Insight: Long before referrals occur, you'd better understand what makes referrals happen. Your actions make referrals possible – or not.

A one-word definition of referral is: risk. Your customer is willing to risk the relationship he or she has with someone by trusting you will respect it,

honor it and build it.

Now that you understand why some people may be reluctant to refer you (especially if you ask, more especially if you ask too soon, most especially if you ask twice), let me give you the best strategy to get all kinds of referrals.

It involves a one-word action plan: earn.

- Earn referrals with value perceived by customer in the relationship.
- Earn referrals with value-based actions.
- Earn referrals with quality of relationship.
- Earn referrals with memorable service.
- Earn referrals with quality of product.
- Earn referrals with reliability.

ity.

- Earn referrals with consistency.
- Earn referrals with speed of response.

Note well: It's not just one earning action that will open the referral floodgates. It's all of them. These are actions that build loyalty and reputation – and referrals are the result and the report card.

The big secret: give one.

Best strategy for giving a referral: arrange a meeting where you bring your referral to the customer over lunch. Your customer will be dumbfounded. He or she will be ever so grateful, and will talk about you and the incident for years. Oh, by the way, your customer will go out of their way to provide you with two referrals as a genuine thank you.

Caution: This requires work beyond the sale on your part.

Note well: Even if your customer does not reciprocate, you're on the path to understanding the principle of give value first.

Caution: Don't keep score, just keep giving – even if the customer doesn't "pay you back," the world will pay you back times 10.

There's another strategy for getting referrals. To get it, go to www.gitomer.com and enter the word REWARD in the GitBit box.

Jeffrey Gitomer is the author of *The Sales Bible*, *Customer Satisfaction is Worthless*, *Customer Loyalty is Priceless*, *The Little Red Book of Selling*, *The Little Red Book of Sales Answers*, *The Little Black Book of Connections*, *The Little Gold Book of YES! Attitude*, *The Little Green Book of Getting Your Way*, *The Little Platinum Book of Cha-Ching*, *The Little Teal Book of Trust*, *The Little Book of Leadership*, and *Social BOOM!* His website, www.gitomer.com, will lead you to more information about training and seminars, or e-mail him personally at salesman@gitomer.com.

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Open Book Management: are you kidding me?

"I want my employees to feel empowered to do what is necessary."

"I wish they thought like I do."

These are common comments I hear on a regular basis working with small-business owners regardless of the talent, training and loyalty of their team members. This pervasive theme seems to be more intense as we are working on the strategic plans for the next year. Why?

The process of setting goals begins with a review of the current year's performance, both strategic and financial. Goals set a year ago often have not been fully achieved. Excuses begin to come out of the walls, and one of the most common is, "my employees don't get it." Employees are seen as not motivated or committed to achieving the clearly set and communicated goals.

In discussing this at a recent peer board, the question came up, "do the employees know how the financials really look?" The board member reported a significant increase in revenue, but due to pressures on margin, one-time events and significant investments, the firm actually showed a decline in profit. The challenge here was that the company's sales staff, and many other team members, were aware of the top line success, but were totally in the dark about the bottom line. Why?

After hearing all the excuses the answer is fear. Business owners are afraid that their employees will:

- Not understand the financials.
- Become dissatisfied with their compensation if the company is doing well.
- Leave if the company is not doing well.
- Leak information to competitors, vendors or customers.
- Question or lose respect for the owner.
- Find out how much, or little, the owner actually makes.

While all these points are valid for consideration, the risks above can be anticipated

and planned for. Communication is essential for creating a participative culture vs. a patriarchal culture. In the absence of information the employees will fill in the blanks with information they create. Rumors will swirl and misinformation will be the only information they have.

Publicly traded corporations are required to issue annual reports disclosing all financial information to stakeholders. In motivating employees, this became a huge tool in communicating priorities and the need for change. The communications were tailored to the audience so that actionable information was delivered in a meaningful way:

- Using visuals such as line charts and pie graphs, percentages instead of actual numbers.
- Highlighting strong examples and specific occurrences.
- Developing stories around the numbers that many of the employees can identify with.

This can be a lot of work, but it will result in increasing the owners' ability to maximize the efforts of their team members. If you want your employees to be committed, involved and empowered to make a difference, you cannot treat them like cogs in the wheel. When treated like non-thinkers they will not think. If you want empowered employees, give them powerful, accurate information.


Russell Lookadoo is the president and chief strategist for HRchitecture, a consulting firm specializing in helping business leaders accomplish their goals by effectively using their teams. He owns The Alternative Board practice locally, which establishes and facilitates peer advisory and coaching solutions to leaders of privately held businesses in the Salt Lake area. Internationally, The Alternative Board has over 3,000 member companies and 225 facilitators. Lookadoo is also a TAB-Certified Facilitator and SBL-Certified Coach.



Jeffrey Gitomer



Russell Lookadoo



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Financial considerations for 2013

We are now in plain view of the “fiscal cliff.” Now that the election is over, Congress may or may not end up keeping income and estate tax rates at their recent levels. Next year may bring some notable financial developments, and it isn’t too soon for households to think about them.

You may want to prioritize tax reduction. If the Bush-era tax cuts sunset, everyone will see higher taxes. The federal income tax brackets (10 percent, 15 percent, 25 percent, 28 percent, 33 percent, 35 percent) that we have known for the last nine years would be replaced by five higher ones (15 percent, 28 percent, 31 percent, 36 percent, 39.6 percent) come 2013.

High-earners may want to watch their incomes. If your earned income for 2013 tops \$200,000 — or exceeds \$250,000, in the case of a couple — you may face two Medicare surtaxes. While the Medicare payroll tax on earned incomes above these levels is set to rise to 2.35 percent from the current 1.45 percent, the second surtax may prove to be the real annoyance: there is scheduled to be a 3.8 percent charge on net investment income for individuals and couples whose modified adjusted gross incomes surpass these levels.

Some fine points about this second surtax must be mentioned. It would actually be levied on the lesser of two amounts — either your net investment income or excess MAGI above the \$200,000/\$250,000 levels. Most investment income derived from material participation in a business activity would be exempt from the 3.8 percent surtax, along with tax-exempt interest income, tax-exempt gains realized from selling your home, retirement plan distributions and income that would already be subject to self-employed Social Security tax.

The bottom line is that a bonus, an IRA distribution or a sizable capital gain may push your earned income above these thresholds — and it will be wise to consider the impact that would have.

You may have less take-home pay next year. Social Security taxes for paycheck employees are slated to return to the 6.2 percent level in 2013. They’ve been at 4.2 percent since the start of 2011. If you earn \$75,000 during 2013, you will take home about \$1,500 less of it than you would have in 2012. If you earn \$50,000, we’re talking \$1,000 less.

Any 2013 Social Security COLA may be minor. In 2012, the cost of living adjustment to Social Security benefits was 3.6 percent. Before that, Social Security recipients went three years without a COLA. As inflation is mild, whatever COLA is announced this fall in tandem with Medicare premium changes may not amount to much.

Next year, medical expense deductions may shrink. If you are thinking about delaying a procedure or surgery until 2013, remember that next year you may only get to deduct unreimbursed medical expenses that exceed 7.5 percent — rather than 10 percent — of your taxable income. (This is assuming you like to itemize deductions, of course.) If you are 65 or older, you get a bit of a break: you will still be able to deduct unreimbursed medical expenses up to 10 percent of your taxable income on your federal return through 2016.

You may be able to find a better Medicare Advantage plan for 2013. The Affordable Care Act has altered the landscape for these plans (and their prescription drug coverage). Using Medicare’s Plan Finder (click on the “Find health & drug plans” link at Medicare.gov), you may discover similar or better coverage at lower premiums. The enrollment period for 2013 coverage runs through Dec. 7. Those without work may find a safety net gone. Extended jobless benefits may disappear for the long-term unemployed at the start of 2013. Will Congress extend them once again? Possibly — but that isn’t a given.

The estate and gift tax exemptions may shrink significantly. The (unified) lifetime federal gift and estate tax exemption is currently set at \$5.12 million — and it will drop to \$1 million in 2013 if Congress stands pat. Federal gift tax and estate tax rates are also slated to max out at 55 percent in 2013, as opposed to 35 percent in 2012. Right now, an unused portion of a \$5.12 million lifetime exemption is portable to a surviving spouse; in 2013, that portability is supposed to disappear.

Many analysts and economists think that Congress will eventually abide by President Obama’s wishes and take things back to 2009 instead of 2001 — that is, a \$3.5 million estate tax exemption, a \$1 million lifetime gift tax exemption, and a 45 percent maximum estate and gift tax rate.

Prepare for year-end drama ... and for 2013. The final months of 2012 will surely bring political theater to Capitol Hill. As it unfolds, you may want to look ahead to next year and consider the impact that these potential changes could have on your financial life.

Mark Lund is a portfolio management specialist, investor coach, speaker and author of *The Effective Investor*. To get a free consumer report, “9 Investor Mistakes that Kill Portfolio Performance” go to www.StonecreekWealthAdvisors.com. Lund offers investment management services through Stonecreek Wealth Advisors Inc., an independent fee-only Registered Investment Advisor Firm in Draper. He can be reached at (801) 545-0696.



Mark Lund

How technology is changing commercial real estate

Whether you’re addicted to monitoring social media or just learning to attach a photo to an e-mail, technology has definitely changed the commercial real estate business. During the last decade, advances in the way people communicate and share ideas have transformed the broker-client relationship.

In a 2011 Realtor Technology Survey administered by the National Association of Realtors, brokers said their most-often used tools of choice were a tablet (such as an iPad) and a smartphone. In the same survey, 90 percent of brokers said they used social media platforms like Facebook, Twitter or LinkedIn, compared to only 67 percent in 2008.

So how can a person jump on board to utilize the advancements in technology? What are the benefits of investing time and money in something that changes so frequently?

The best thing about the use of technology in commercial real estate is it allows agents to work wherever they want to and access data wherever they are. It makes it easier to handle things on the go, whether it’s checking out a location, finding information for a client, checking e-mails or pulling up a map. It’s a way for agents to differentiate themselves from competitors.

In the past, agents would have to do a lot of research to find information for a client about a location or building. Now that information is literally at their fingertips and, with just a touch, a wealth of data is available that formerly took hours to accumulate.

For instance, with a tablet note-taking program, an agent can tour a space with a client and pull up a floorplan, sketch ideas for remodeling or expansion and figure leasing and option rates. The agent then e-mails the file to himself and an offer can be put together in a short amount of time.

Finding the right apps, with so many to choose from, can be daunting. Some of the most-used apps include LoopNet, the largest online commercial real estate listing service; 1password, a management app that lets users store multiple passwords so they’re never at a loss for a user name or ID; and LogMeIn, which allows remote access to laptop or desktop computers from anywhere.

The ESRI app is invaluable when a client is asking about the demographics of an area. With the ESRI app, an agent can drop a virtual “pin” on a location and get information such as average income, median age, business listings, crime indexes, retail areas, consumer spending and marketing potential.

The use of quick response (QR) codes has increased over the last few years. By including these codes on property signs and fliers, agents are able to quickly connect with potential buyers. A QR code can provide additional information on a property, contact an agent or take users to a website, all at the touch of a finger. This is one more way the use of a smartphone or tablet makes information immediately accessible.

Social media platforms like Twitter and Facebook are becoming an instrumental part of the real estate process. Many brokers use their Twitter accounts to post completed transactions, put out needs for a specific location or site, post interesting articles relating to commercial real estate and become a resource for people in the industry.

Facebook is used to build a stronger Internet presence, and LinkedIn is a platform for networking and getting recommendations. Utilizing social media is a good way to establish yourself as an expert, to become a go-to source for clients and to provide information. These platforms are the wave of the future, and won’t be going away anytime soon.

The file-sharing program Dropbox syncs files saved on the cloud so they can be accessible to all your computers, phones or tablets — automatically. Photos, documents videos and other files can be available wherever and whenever they’re needed.

DropBox is especially helpful when working on team projects. People can upload files to share, co-workers can make changes to those files and everyone has access to the information at any time.

A well-designed and easily-accessible website is essential for agents and can be another great source of business. Listings on the website should tie directly into an agent’s profile so clients can contact the broker immediately. Blogs are also used to get information to clients and keep it in front of them in real-time. Constantly updating lease rates, sales prices and availability positions the company, and the agents, as experts in the industry.

Some agents find it hard to adapt to new advances in technology, and even simple things like attaching files to e-mails can be frustrating. Some companies incorporate 15-30 minute classes once a month to review technology basics with some less tech-friendly associates. This helps get agents and staff exposed to all the possibilities that can set them apart from the competition.

When it comes down to it, brokers get more leads from referrals, the Internet and repeat business than any other platform. Making sure the job gets done correctly and efficiently is still the most important part of doing business. New methods may bring in new clients, but it’s important to emphasize the value of your services and the results you can achieve. Personal relationships are still important and will be more virtual in the future — but clients are always going to need the expertise of an actual agent.

Jason Hagblom of NAI West, Salt Lake City, has over 10 years experience with industrial-use small businesses. His experience as an industrial and investment specialist provides a comprehensive understanding of how to structure, market and close sales and leasing transactions in a quick and professional manner.



Jason Hagblom

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At new job, former Ogden mayor deploying same skills that helped his city lead the nation in job growth

By Andrew Haley

The Enterprise

Since leaving office last January, former Ogden Mayor Matthew Godfrey has been busy applying the same strategies that helped his city lead the nation in job growth to other urban areas around the country.

Through his economic development consulting company Better City, he is trying to match the same models of economic development and crime reduction that worked so well in Ogden to other towns and cities across the country. His team at Better City includes Stuart Reid, former chief of economic development for Salt Lake City and Ogden; and Steven (Randy) Watt, retired Ogden assistant chief of police, among other economic and municipal policy specialists.

"We primarily help cities recruit jobs, develop or redevelop their town, and improve their cash flow," Godfrey said by car phone en route to a meeting with clients in Idaho.

In addition to Utah and Idaho, Better City has ongoing projects in Wyoming, Massachusetts and Alabama, working with a dozen communities, including one city of more than 350,000, which Godfrey declined to name. In August, North Ogden signed a \$38,000, one-year plan with Better City to revitalize the city's commercial district, and Brigham City hired the firm to conduct a nine-month, \$100,000 job study to help replace thousands of workers shed by La-Z-Boy and ATK due to economic malaise and the shuttering of NASA's shuttle program. Morgan City has also retained Better City to navigate the potential development of the Como Springs hotel and resort on the banks of the Weber River.

During his three-term tenure as Ogden's mayor, from 1999, when at 29 he was elected the city's youngest mayor, through 2011, Godfrey reinvented the 82,000-person northern Utah city, transforming it from blighted railroad hub to an outdoor sports and recreation mecca with a reinvigorated downtown and a slew of national businesses drawn by lower operating costs and proximity to world-class outdoor recreation opportunities. Rossignol, Salomon, Atomic, Scott USA and several other prominent outdoor recreation companies moved to the city Al Capone once said was too wild even for him. According to Better City's website, during his stint as mayor Godfrey attracted \$1.2 billion in investment and 8,000 private sector jobs to Ogden, revitalized 130 acres of downtown real estate and constructed almost 1 million square feet of new office space, while reducing crime 33 percent in 10 years.

His secret?

"Ignoring all the naysayers. We figured out what our competitive advantage was and went after it with tenacity," he said.

In Ogden's case, the competitive advantage was proximity to world-class skiing made famous by the 2002 Winter Olympics. Snowbasin, which hosted the downhill skiing and Super-G events in 2002 Winter Olympic Games, is less than 20 miles from town, compared to Breckenridge, Colo., which is 80 miles from Denver. Add to that competitive labor costs, a well-educated work force, low cost of living and a nearby



Godfrey

international airport with direct flights to Europe, and one wonders why a maker of ski boots would operate anywhere else.

That Godfrey headed up such a turnaround is impressive. That he did so during the Great Recession makes for the kind of economic policymaking that catches the eye of the *Wall Street Journal*, which wrote about the city's blossoming sports equipment manufacturing boom last year. In order to pull off his plans in the midst of the downturn, Godfrey applied the same imaginative problem-solving that allowed him to see a global manufacturing center where erstwhile politicians and developers had seen only the remnants of a 19th century railroad town.

"We took advantage of the recession. We sold Ogden as a way to maintain or regain profitability," he said.

Recruiting companies away from Oregon, New Hampshire, Michigan and South Dakota, Godfrey was able to offer higher tax brackets, lower wages and costs

of living, giving companies needed flex during years of belt-tightening. By moving operations to within a half-hour's drive of premier equipment testing terrain, manufacturers were also able to reduce the significant expense of transporting gear and technicians to distant places like Snowbasin to test their products. In addition to ski slopes, Ogden also offers close proximity to rock climbing, mountaineering, rafting, water sports and other outdoor recreation opportunities.

But can the Ogden model, which relies so much on its geography, be replicated as a template for other towns?

"It does translate. We find that every community has its strengths," Godfrey said.

The bigger hurdle, he said, is posed by government officials who lack the political capabilities, or the patience, to embrace substantial redevelopment. Many city officials remain locked in growth ideas of past decades and equate attracting big-box stores like Walmart with economic growth. But part of Godfrey's success in Ogden was in avoiding the big-box store model in favor of bringing in companies with employees making good salaries.

"Where it makes sense, we push jobs. Landing a big-box store is not nearly as satisfying as bringing in a firm with \$70,000 jobs," Godfrey said. "A lot of communities lack the vision for what they can become. We're really surprised how many cities don't know how."

Because of his 12 years at Ogden's helm, the difficulties of being mayor of a struggling town are ones Godfrey knows well. Caught in the feedback loop of blight and declining revenues, municipal governments lack the resources to throw money at

their problems. With a worsening economic and social situation, city governments have a difficult time attracting needed outside investment from the private sector.

Stopping the bleeding was one of the first steps in Godfrey's plan to turn around Ogden. The mayor's office worked to revitalize the Ogden River Parkway and restore the Ogden River in an effort to rebrand the city. Capitalizing on the Olympics, Godfrey's office attracted world-class outdoor events to the area and managed to convince companies like Amer Sports, parent company of Salomon, Wilson and Atomic, to relocate.

But success was not without its difficulties. Godfrey was plagued by accusations of cronyism and fought off a string of allegations. The last of those, the Envision Utah scandal, involving alleged fraud, was investigated by the state Attorney General's office, which found no evidence of wrongdoing and closed the case.

"[Envision Utah] was the end of a very long list of false political accusations. I conducted myself with honor and integrity the entire time [I was in office]. I made mistakes, sure, but I never did anything I am ashamed of, or anything illegal. My honor and integrity are all I have," he said.

Utah's economic development wunderkind said he has no intention of ever seeking another political office, but is proud of his accomplishments as Ogden's mayor.

"I miss the people. I don't miss the office. It was a good experience. I learned a lot. Politics is a tough gig. When I left office Ogden was leading the nation in job growth. If you could have asked me what reward I would want for my last year in office, that would be it."



The Salomon Center in Ogden is a physical manifestation of Godfrey's talent for luring outdoor recreation firms to the city. Other companies that have located there include Rossignol, Atomic and Scott USA.



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DAVIS COUNTY

A Cushman & Wakefield Alliance Research Publication

Q2 2012

OVERVIEW

- As expected, office vacancy rates are on the rise in Davis County, especially in North Davis County where the Falcon Hill development is taking shape. Construction has been completed on Falcon Hill's new multi-story office building where Northrop Grumman has taken occupancy, leaving behind a 125,000 square foot building. As a result, Class A vacancy rates have seen a significant increase.
- The industrial segment remains strong with an overall vacancy rate of 6.28%. There has been very little change in lease rates over the past year and a half. Over the same time period asking sales prices per square foot have gone from an average of \$77.25 per square foot to an average of \$69.25 per square foot keeping vacancy rates relatively low.

- Over the past year the retail vacancy rate has gone from 11.75% to 10.52%. Station Park in Farmington has seen a flurry of activity with new businesses moving in each month.
- The Layton Hills mall has two new restaurants under construction. Texas Roadhouse and Buffalo Wild Wings will be opening their first Davis County locations in the fall.



DAVIS COUNTY MARKET OVERVIEW

Office Vacancy	19.06%
Overall Average Office Lease Rates	\$14.14 - \$15.82 PSF, FS
Industrial Vacancy	6.28%
Overall Average Industrial Lease Rate	\$0.53 PSF
Overall Average Industrial Sales Price	\$69.26 PSF
Retail Vacancy	10.52%
Overall Average Retail Lease Rates	\$11.43 - \$15.17 PSF, NNN

NOTABLE SECOND QUARTER TRANSACTIONS

PROPERTY	LOCATION	SIZE
Ferguson Building	Layton	16,400 SF
Duncan Lighting	Bountiful	27,248 SF
North Salt Lake Warehouse	North Salt Lake	37,500 SF
King Street Land	Layton	12.48 Acres
Maple Meadows Apartments	Layton	31 Units

OFFICE MARKET OVERVIEW

CLASS	TOTAL MARKET SF SURVEYED	AVAILABLE SF	VACANCY	OVERALL AVERAGE FULL SERVICE LOW RATE	OVERALL AVERAGE FULL SERVICE HIGH RATE
Class A	906,691	200,749	22.14%	\$16.83	\$20.68
Class B	1,070,604	196,018	18.31%	\$13.50	\$15.94
Class C	571,958	89,120	15.58%	\$12.53	\$14.71
Total	2,549,253	485,887	19.06%	\$14.14	\$15.82

INDUSTRIAL MARKET OVERVIEW

SIZE	TOTAL MARKET SF SURVEYED	AVAILABLE SF	VACANCY	OVERALL AVERAGE ASKING LEASE RATE	OVERALL AVERAGE ASKING SALES PRICE PSF
0-5,000	389,339	20,678	5.31%	\$0.58	\$88.85
5,001-20,000	4,434,767	280,592	6.33%	\$0.53	\$67.20
20,001-50,000	5,034,739	309,655	6.15%	\$0.40	\$62.62
50,001+	16,724,164	1,057,711	6.32%	\$0.28	\$37.20
Total	26,583,009	1,668,636	6.28%	\$0.53	\$69.26

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A banker's view of residential real estate in Davis, Weber counties

By Dale Smith

In my daily work as a lender, I talk to a lot of people in the real estate development and construction industries. Most everyone is saying that things are picking up. I am also seeing a rush to get construction started on homes before winter sets in. At Bank of American Fork, we saw a sharp increase in applications for residential construction loans in late October, with excavation crews waiting on-site for news of approval so they could begin digging.

These signs of economic recovery are supported by data from the Bureau of Economic and Business Research at the University of Utah. From January to August 2012, there were 6,962 building permits issued statewide, an increase of 15.2 percent over the same period in 2011. Against this measure, Davis County increased its number of building permits by 29.3 percent over the same period, and Weber County increased by 2.5 percent. The number of building permits in Davis County year-to-date is 1,376, and building permits issued year-to-date in Weber County is 249. These two counties represent 23 percent of all building permits issued statewide year-to-date.


Because of events over the past five years, most community banks are still cautious with real estate development loans and feel some developments are more risky than others. For example, smaller infill developments in areas already mostly developed would be viewed as more favorable than a

loan to purchase a large tract of agricultural land to develop a 150-lot subdivision in the rural areas of western Davis and Weber counties.

This doesn't mean that banks are ready to jump into development of raw land the way they did in 2007, but it does seem that the market is beginning to return and banks definitely have money to lend. Demand for new homes and existing inventory are being watched closely. Bankers I have spoken with have been funding more construction and development loans this past year and seem to be gearing up to fund even more in 2013.

As demand for housing is picking up, the time is right for an additional community bank to open and serve the needs of builders in the area. Davis and Weber Counties are important parts of Utah's economy and it's nice to see things beginning to look up again for my many friends in the building industry.

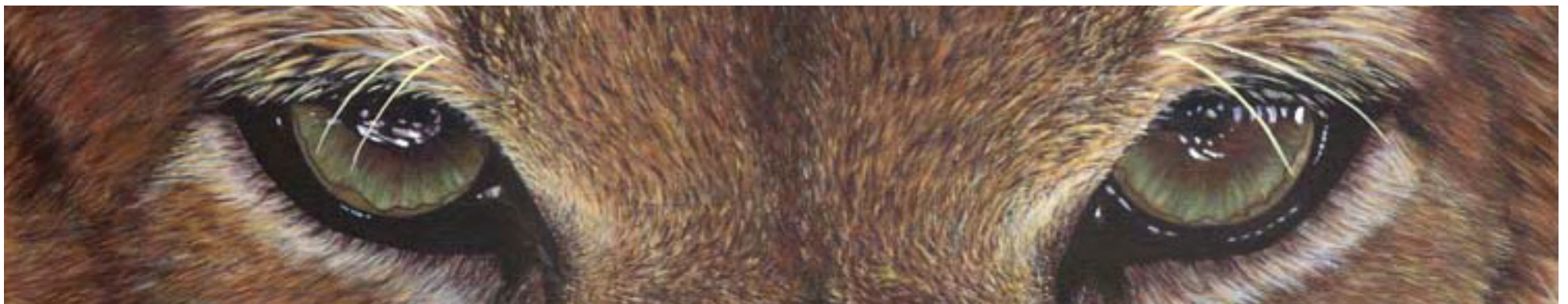
Dale Smith is branch manager for Bank of American Fork's new Layton branch, which will open on Nov. 19. He is a long-time resident of Layton, with 30 years of experience in the banking industry. Bank of American Fork is an SBA-Preferred Lender, Equal Housing Lender and Member FDIC. It now has 13 offices and more than \$920 million in assets. This article should not be considered legal or investment advice. Seek legal and investment advice from your own qualified professional.

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MARKETBEAT REGIONAL SNAPSHOT



WEBER COUNTY

A Cushman & Wakefield Alliance Research Publication

Q2 2012

OVERVIEW

- Weber County is starting to see an increase in activity across all sectors. The overall office vacancy rate has declined significantly from the same period last year, with the largest absorption occurring in Class A type buildings. Office lease rates have remained steady or declined, allowing office tenants to take advantage of upgrading opportunities.
- Although there has been a slight increase in industrial vacancy rates from the same period last year, the industrial market has been vibrant, with more deals being done in the first half of 2012 compared with the same period last year. Asking lease rates and sales prices have had a slight decrease across all size ranges.
- BDO has two new buildings under construction. A 120,000 SF and a 160,000 SF building. The majority of each building is a build to suit for specific tenants, both buildings are scheduled to be completed this fall.
- Retail vacancy rates have decreased from 19.24% to 17.17% over the past year. Three new businesses are entering the county: Buffalo Wild Wings, Godmans, and Shoe Carnival - all in the Riverdale area. Other Riverdale businesses relocating within the city are Best Buy and Zurchers.
- Expect activity to continue through out the rest of the year as a sluggish market starts to recover.



WEBER COUNTY MARKET OVERVIEW

Office Vacancy	22.01%
Overall Average Office Lease Rates	\$11.45 - \$15.17 PSF, FS
Industrial Vacancy	9.20%
Overall Average Industrial Lease Rate	\$0.40 PSF
Overall Average Industrial Sales Price	\$66.00 PSF
Retail Vacancy	17.17%
Overall Average Retail Lease Rates	\$10.47 - \$15.61 PSF, NNN

OFFICE MARKET OVERVIEW

CLASS	TOTAL MARKET SF SURVEYED	AVAILABLE SF	VACANCY	OVERALL AVERAGE FULL SERVICE LOW RATE	OVERALL AVERAGE FULL SERVICE HIGH RATE
Class A	1,077,335	169,918	15.77%	\$15.38	\$19.86
Class B	950,812	260,150	27.36%	\$12.10	\$15.40
Class C	397,055	103,708	26.12%	\$9.42	\$12.03
Total	2,425,202	533,776	22.01%	\$11.45	\$15.17

INDUSTRIAL MARKET OVERVIEW

SIZE	TOTAL MARKET SF SURVEYED	AVAILABLE SF	VACANCY	OVERALL AVERAGE ASKING LEASE RATE	OVERALL AVERAGE ASKING SALES PRICE PSF
0-5,000	683,636	34,241	5.01%	\$0.44	\$91.59
5,001-20,000	4,983,312	349,205	7.01%	\$0.42	\$66.39
20,001-50,000	5,342,926	541,859	10.14%	\$0.36	\$50.20
50,001+	21,626,220	2,076,538	9.60%	\$0.29	\$23.34
Total	32,636,094	3,001,843	9.20%	\$0.40	\$66.00

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Million Dollar Homes

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 2733 E. Parleys Way, Ste 202
 Salt Lake City, UT 84109



820 Empire Ave. Park City

~~\$1,295,000~~

\$1,195,000

Approx Sq Ft:	2898	Den:	0
Bed Rooms:	3	Living Room:	0
Bath Rooms:	2.5	Laundry:	1
Family Rooms:	1	Fireplace:	1



Exclusive opportunity to preview this amazing Old Town home. This home boasts a 5 star rating by vacationers from around the world. It is over 90% booked for the season and for that reason, difficult at times to show. Please take advantage of this rare Priced to SELL, this beautiful remodeled home features new fireplaces, bathrooms and all new master suite. Nearly ski in ski out! Only 150 Yards to Park City Town Lift providing ski access to Park City Mountain Resort. Empire #1 located across the street from the Quittin' Time run allowing you to ski back to the home after a day on the slopes. This 3 bedroom, 2-1/2 bathroom, boasts a 5 star rating from rental guests who have stayed in the home! It is nicely situated in a quiet section of historic Park City within walking distance of Main Street (1/4 mile). This old town home has the RARE 2 car garage and sits on a lot and a half! Additional features include high vaulted ceilings, wood beams, slate, granite, travertine, new carpet, well appointed furnishings and art. For buyers looking to rent the home, this home has EXCELLENT rental income and bookings. Furniture negotiable.

641 E Windsor Ln Kaysville

\$1,199,000

Approx Sq Ft:	7400	Den:	1
Bed Rooms:	6	Living Room:	1
Bath Rooms:	6	Laundry:	1
Family Rooms:	2	Fireplace:	2



SELLER FINANCING AVAILABLE! Designed & built by Ned/Lorraine Giles & renowned C.D. Martineau Homes, this property sets the standard for luxury homes in Davis Cty. Situated on an acre of land at the end of a cul-de-sac & bordered by a wooded draw with a stream on the North & the open space of a serene pasture/orchard on the South * This home blends a private location with an amazingly elegant yet functional floor plan * The finish level & construction quality are also as good as it gets * Energy efficient 2x6 walls * Top of the line Martin windows (lifetime warranty) * A composite bar tile roof (lifetime warranty) * Clear oak hardwood floors * An indoor spa room * A full 2nd kitchen in the daylight walk-out basement * A "safe" room (with a safe door) * 450 sq ft of food storage * An amazing master bedroom & bath * A workshop with a garage door out to the private back yard & sand filled volleyball court * Vaulted ceilings * 3 huge fire places, with one in the Master bdrm * A dream office & on & on...This is 7400 sq ft of absolutely elegant yet comfortable living space for you & your family. And please don't forget, it's only 20 minutes from downtown SLC. (5-10 mins closer than Draper)The home is owner-occupied so please contact the agents for an appt to see this unforgettable home in person.

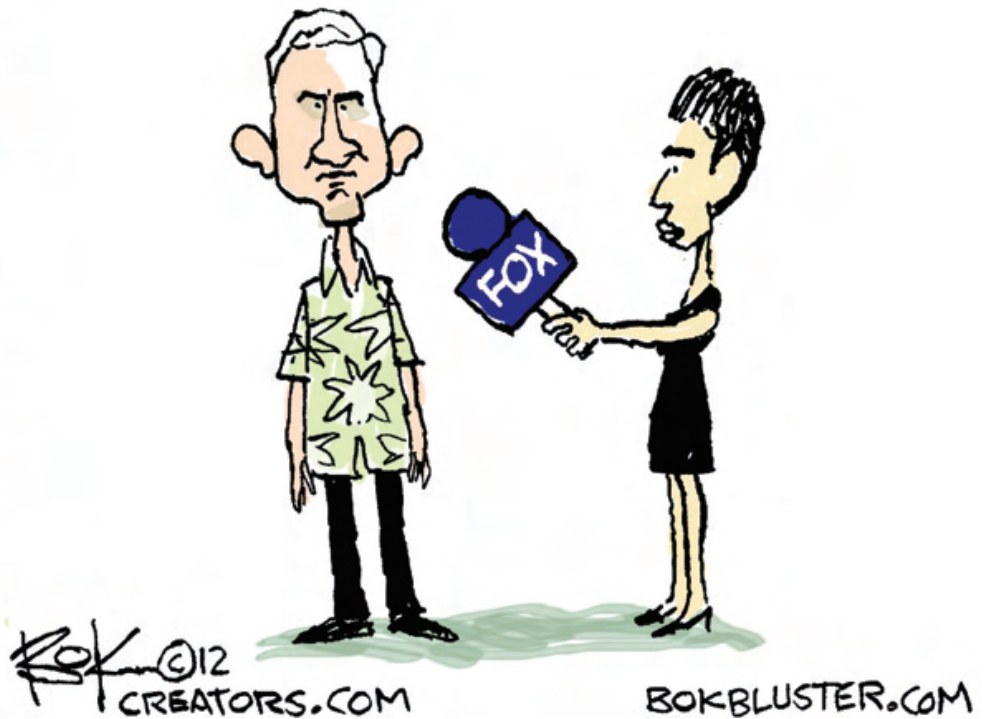
CINDY SHEEHAN 2004

(MOTHER OF MARINE KILLED IN IRAQ)



CHARLES WOODS 2012

(FATHER OF NAVY SEAL KILLED IN LIBYA)



When Obama won, so did America's future

What Barack Obama tried to tell America in the hour of his remarkable victory is that the nation's future won on Election Day. Seeking to inspire and to heal, the reelected president offered an open hand to partisan opponents in the style that has always defined him.

"Tonight," he said, "despite all the hardship we've been through, despite all the frustrations of Washington, I've never been more hopeful about our future."

In the days ahead, there will be time to absorb the magnitude of this moment — achieved under the cloud of persistent unemployment and a multibillion-

dollar campaign of calumny — but the president clearly knows that he returns to the White House with a renewed mandate. Against great odds, he won nearly all the same states that elected him in 2008 and won the popular vote despite an enormous, angry backlash in the old Confederacy.

Victory conferred on him the authority to speak of the days and years ahead whose agenda he will shape, not alone, but as a proven leader who knows that "we rise or fall together as one nation and one people." He spoke of a future where the children of

immigrants can dream of becoming doctors or diplomats, and the children of workers can dream of becoming president — a future not threatened by excessive debt, worsening inequality and climate change.

It is an inclusive vision of a nation where politics can be big not small, as he said, because the goals of public life are great for everyone — and where the best is still ahead because the adversity, prejudices and illusions of the past are receding.

"That's the future we share," he said. "That's where we need to go ... Our economy is recovering, a decade of war is ending, a long campaign is now over."

How can he "seize that future," as he urged us all to do? The conventional wisdom of Washington punditry is already telling the president that he must "work across the aisle" with the Republicans, who will still control the House in January. But while he acknowledged the necessity to reach out to his opponents — and alluded to his long-held bipartisan spirit — he hinted that he has learned something else during his contentious first term and this hard, grinding campaign.

If he hopes to leave a legacy of accomplishment in his second term, he cannot count on the cooperation of the right-wing rump in Congress. If he wants to tax the

wealthy, reject austerity, implement Obamacare and begin to cope with global warming, he will have to rely upon on the people who entrusted him with their votes, their energy, their hope.

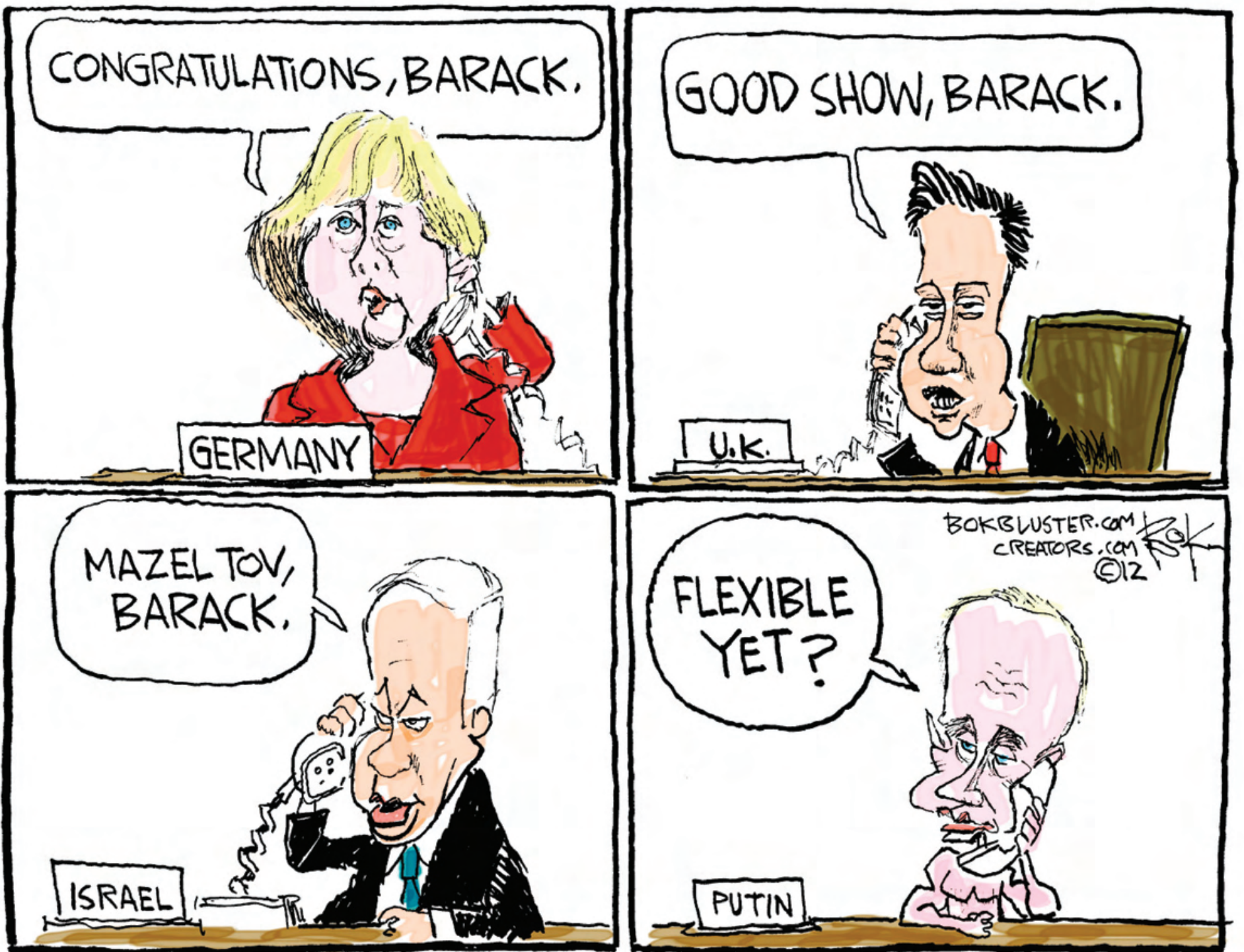
"The role of citizen in our democracy does not end with your vote," he said. "America is about what can be done by us together." Mobilizing the public is not only the way to win elections but also the way to win an agenda for the future.

To find out more about Joe Conason, visit the Creators Syndicate website at www.creators.com.

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Joe Conason



Waiving freedom

Among the objections to ObamaCare, one that has not gotten as much attention as it should is the president's power to waive the law for any company, union or other enterprise he chooses.

The 14th Amendment to the Constitution provides for "equal protection of the laws" for all Americans. To have a law that can cost an organization millions of dollars a year either apply or not apply, depending on the whim or political interest of the president of the United States, is to make a mockery of the rule of law.

How secure is any freedom when there is this kind of arbitrary power in the hands of one man?

What does your right of freedom of speech mean if saying something that irritates the Obama administration means that you or your business has to pay huge amounts of money and get hit with all sorts of red tape under ObamaCare that your competitor is exempted from, because your

competitor either kept quiet or praised the Obama administration or donated to its reelection campaign?

Arbitrary ObamaCare waivers are bad enough by themselves. They are truly ominous as part of a more general practice of this administration to create arbitrary powers that permit them to walk roughshod over the basic rights of the American people.

The checks and balances of the Constitution have been evaded time and time again by the Obama administration, undermining the fundamental right of the people to determine the laws that govern them, through their elected representatives.

You do not have a self-governing people when huge laws are passed too fast for the public to even know what is in them.

You do not have a self-governing people when "czars" are created by Executive Orders, so that individuals wielding vast

powers equal to, or greater than, the powers of Cabinet members do not have to be vetted and confirmed by the people's elected representatives in the Senate, as Cabinet members must be.

You do not have a self-governing people when decisions to take military action are referred to the United Nations and the Arab League, but not to the Congress of the United States, elected by the American people, whose blood and treasure are squandered.

You do not have a self-governing people when a so-called "consumer protection" agency is created to be financed by the unelected officials of the Federal Reserve System, which can create its own money out of thin air, instead of being financed by appropriations voted by elected members of Congress who have to justify their priorities and trade-offs to the taxpaying public.

You do not have a self-governing people when laws passed by the Congress, signed by previous presidents, and approved by the federal courts, can have

the current president waive whatever sections he does not like, and refuse to enforce those sections, despite his oath to see that the laws are faithfully executed.

Barack Obama, for example, has refused to carry out sections of the immigration laws that he does not like, unilaterally creating de facto amnesty for those illegal immigrants he has chosen to be exempt from the law. The issue is not — repeat, NOT — the wisdom or justice of this president's immigration policy, but the seizing of arbitrary powers not granted to any president by the Constitution of the United States.

You do not have a self-governing people if President Obama succeeds in having international treaties under United Nations auspices govern the way Americans live their lives, whether with gun control laws or other laws.

Obama's "citizen of the world" mindset was revealed back in 2008, when he said, "We can't drive our SUVs and eat as much as we want and keep our homes on 72 degrees at all times ... and

then just expect that every other country is going to say okay."

The desire to circumvent the will of the American people was revealed even more ominously when Barack Obama said to Russian President Medvedev — when he thought the microphone was off — that, after he is reelected and need never face the voters again, he can be more "flexible" with the Russians about missile defense.

There are other signs of Obama's contempt for American Constitutional democracy, but these should be more than enough. Dare we risk how far he will go when he never has to face the voters again, and can appoint Supreme Court justices who can rubber stamp his power grabs? Will this still be America in 2016?

Thomas Sowell is a senior fellow at the Hoover Institution, Stanford University, Stanford, CA 94305.



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