

### THIS WEEK

#### MINI of Murray to construct new dealership

New building will be about a block from the firm's existing location.  
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#### HR Matters

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#### Small Business Spotlight

See page 12.

## Candle accessory firm to expand into 46,000 square feet



Candle Warmers will be occupying this building in Woods Cross beginning July 8.

**By Barbara Rattle**  
*The Enterprise*

Candle Warmers Etc., a Layton-based manufacturer of candles and flameless candle-warming devices, is about to undertake a major expansion.

Currently located in about 16,000 square feet in Layton, the company is slated to move July 8 to a nearly 46,000 square foot facility at 1948 W. 2425 S., Woods Cross.

Chris Barnes, who owns the 10-year-old business in partnership with Bart Kennington, said growth at the company, especially in the last three years, precipitated the move. Roughly 25 employees will be affected, and more are being hired, he said. The new facility

will house Candle Warmers' corporate offices, warehousing and manufacturing.

Kennington brought the first plate-style candle warmer to market in 2001 after a neighbor's house was destroyed by a candle-sparked fire. The firm's most popular product, the Aurora Candle Warmer Lamp, of which there are numerous styles, warms the top of the candle using a 25-watt halogen bulb.

"It warms about the first inch, inch and-a-half of the top of the candle and really does a good job of releasing the fragrance of the candle really quickly, Barnes said. "Within five minutes the wax is cooling and the fragrance is being

see CANDLE page 2

## Asian 'shopping experience' to open this fall in Sandy

A new Asian food, retail market and shopping experience is coming to West Jordan.

Asian City, an expansive retail complex that will include 50 stores and 10 food vendors designed to give Utah residents a true feeling of being in Asia is slated to open Oct. 1 in a 56,000 square foot former Albertsons grocery store building on 4.3 acres at 1653 S. 9000 S.

Eugene Han, who owns Ocean Mart in Sandy, formerly known as Super China Market in Salt Lake City, said the Asian City concept was created in response to the growing demand by both the Asian ethnic community and general residents of the greater Salt Lake area for Asian food, grocery and specialty products.

"This is a one of a kind, truly extraordinary shopping attraction that will give people the experience of being in Asia," said Jimmy Wu, a Realtor with Coldwell Banker Residential Brokerage in Union Heights Midvale who helped broker the sale of the former Albertsons to Han. "Asian City will provide everyone with a place to learn about different Asian cultures and to experience the Asian heritage. It will also be a pleasant renewal of the tourist experience for those who have been to Asia."

Asian City will include both retail and wholesale shopping. Customers will be able to find gifts, cultural items, home

see ASIAN page 2

## Century 21 franchisee switches affiliation to Weichert Realtors

**By Barbara Rattle**  
*The Enterprise*

American Fork-based At the Rockies, a residential real estate brokerage with 80 agents in three Utah offices, is leaving the Century 21 franchise in favor of joining Weichert Realtors, one of the nation's largest privately owned providers of real estate and home ownership services.

The largest Century 21 franchise in several states for the past eight or nine years, the Utah company will be transitioning to the name Weichert Realtors-At the Rockies over the next several weeks, said owner and broker Roger Zundel. Founded in 1998, the agency is planning to open additional Utah locations. Currently, the company has offices in American Fork, Sandy and St. George.

"Century 21 is a very old company," Zundel said of his decision to switch affiliations. "They're kind of focused in the



past and not so much in what's going on. But the most important thing is they're now a big Wall Street firm and they consider themselves a franchise sales company and not so much a real estate company. Their focus is to sell franchises; they really don't focus very much on making their agents effective and helping their agents serve the buyer and the buying and selling public. I felt like a needed a company that was focused on helping my agents be

see WEICHERT page 2

## Utah has high propensity for Ponzi scheme, report finds

A new report this month that analyzes major Ponzi-scheme type investment frauds across the country since 2002 clearly shows that Utah has a high propensity for generating these types of frauds, especially given its relative size.

Marquet International Ltd., a Massachusetts-based investigative, litigation support and security consulting firm, ranked Utah fifth in the nation under its "Ponzi Propensity Ratio," which is a reflection of how prevalent Ponzi schemes are in the state, relative to its size. Utah also ranked among the highest in terms of both the gross number of Ponzi schemes as well as the total magnitude of the frauds combined.

Large states by population dominate the list of states with the highest number of major Ponzi schemes, as expected. However, Utah is noteworthy for its presence on the list, since it ranks 35th in population but had the 10th highest number of Ponzi schemes

during the studied period, a total of 11 with a fraud size of \$645.7 million.

New York, Minnesota, Texas and Florida all have disproportionately high Ponzi propensity ratios, as expected with all of their mega Ponzi schemes and based upon other factors previously.

"The only other state with a greater than one ratio is Utah," according to the report. "Given that this state did not have any of the mega Ponzi schemes in the study (its largest fraud ranked 28th overall), but rather had a series of 11 steady solid frauds, we yet again affirm that Utah seems to have been a breeding ground for Ponzi schemes in the past decade."

Utah's largest Ponzi scheme was the \$180 million fraud perpetrated by Val E. Southwick and his VesCor Capital group of companies. Southwick induced at least 180 investors to put money into a

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## PONZI

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labyrinthine group of real estate development companies he controlled, promising annual returns of 24 percent. Southwick used an affinity group target — members of The Church of Jesus Christ of Latter-day Saints, to perpetrate his fraud, which collapsed in 2007 after a 17-year run. The 63-year-old Southwick pleaded guilty to nine counts of securities fraud in March 2008 and subsequently sentenced to a minimum nine years in prison in June 2008.

It has been two-and-a-half years since the largest Ponzi scheme in history came to light with the collapse of Bernard L. Madoff Investment Securities LLC in late November 2008, now estimated to be about \$20 billion. Since that time, according to the study, there have been numerous other major Ponzi schemes and investment fraud schemes revealed, including infamous Madoff runners up:

No. 2: R. Allen Stanford and his Stanford Group entities (\$7.2 billion);

No. 3: Thomas J. "Tom" Petters and his Petters Worldwide



Group (\$3.65 billion);

No. 4: Paul Greenwood and his Westridge Capital Management (\$1.3 billion);

No. 5: Joel Steinger and his Mutual Benefits Corp. (\$1.25 billion);

No. 6: Scott W. Rothstein and his Rothstein Rosenfeldt Adler (\$1.2 billion); and,

No. 7: Nevin K. Shapiro and his Capitol Investments, USA (\$880 million).

Ponzi schemes are named after Charles Ponzi, born Carlo Pietro Giovanni Guglielmo Tebaldo Ponzi in 1882 in Lugo, Italy. He immigrated to the U.S. in 1903. He became notorious for using the fraud technique of establishing investments that pay returns to separate investors, not from any actual profit earned by the organization but from investors' own money or money paid by subsequent investors.

## ASIAN

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and party decorations, kitchen accessories, small appliances, clothes, cosmetic products and much more. There will also be an indoor farmer's market that will run each year from April to October.

The food court will include approximately 10 eateries offering Taiwanese traditional food, pearl tea, coffee and beverages, a Hong Kong/Cantonese style bakery, Vietnamese pho and sandwiches, a Korean tofu house, Japanese sushi and udon noodles, Thai and Indian food, as well as other special Chinese treats.

## Ten people honored as Utah Entrepreneurs of the Year

Ernst & Young LLP has chosen the Ernst & Young Entrepreneur Of The Year Utah Region Award winners.

The group of leading entrepreneurs was selected by an independent judging panel made up of previous winners of the award, leading CEOs, private capital investors and other regional business leaders.

The Ernst & Young LLP Entrepreneur Of The Year 2011 Award winners are:

- Paul Morrell, president, Al-Morrell Development LLC.
- David Dangerfield, president and CEO, Avalon Health Care Inc.
- David Jenkins, president/CEO, Conservice LLC.
- Corbin Church, CEO, Miche Bag LLC.
- William Haberstock, CEO, Million Air-Salt Lake City.
- Blake Roney, chairman, Nu Skin Enterprises Inc.
- Orville Thompson, CEO, Scentsy Inc.
- Heidi Thompson, president, Scentsy Inc.
- Allan Ainsworth, Ph.D., executive director, Wasatch Homeless Health Care/Fourth Street Clinic.
- Robert Mendenhall, president, Western Governors University.

## WEICHERT

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more effective at sales and helping our customers, the sellers and the buyers. Weichert has updated tools and updated systems that really make a lot more of an impact. When selling your home, they have better marketing, and the agents have a system where they offer consistent customer service, whereas with some real estate companies out there it's kind of the luck of the draw. With Weichert, we have a system and a standard and we expect our agents to perform to a certain level of service."

Weichert announced its first affiliate in 2002 and by 2005 was identified by *Entrepreneur* magazine as one of the fastest-growing U.S. franchises. Currently, affiliates serve nearly 300 markets in 36 states. Together with company-owned offices, some 18,000 Weichert agents are at work.

"They've kind of brought me to in to help them grow here in the West, so we'll be actively pursuing new people and new office locations that fall in line with the Weichert methodologies and philosophies," Zundel said.

Under Zundel's leadership, At the Rockies has introduced a company-funded retirement program for agents, as well as an equity opportunity. Zundel also undertook to provide a one-stop shopping experience not unlike that which has long been in place at Weichert offices. Weichert offers mortgage and insurance services and an array of moving and home-connection services covering every task, from U.S. postal address changes to utilities cancellations, transfers and start-ups, along with a top-ranked Internet site and lead-generation platform and a multinational relocation company.

## Lane Beattie named to board of U.S. Chamber

Salt Lake Chamber president and CEO Lane Beattie has been named to the board of directors of the U.S. Chamber of Commerce.

"Lane understands that there is a lot Washington can be doing to help alleviate the uncertainty businesses are facing," said U.S. Chamber president and CEO Thomas J. Donohue. "By failing to act on the pending trade agreements or creating a competitive tax environment, American businesses are being put at a competitive disadvantage. He also recognizes that part of Washington's job is to get out of the way. More burdensome regulations won't help the private sector do what it does best: expand and create jobs."

The U.S. Chamber of Commerce is considered the most influential business organization in the world. Beattie is one of 13 new members elected to the 129-member board, which consists of the top executives from some of the country's most successful businesses, including Pfizer, PepsiCo, AT&T, Xerox, New York Life Insurance Co. and Eastman Kodak.

Beattie has served as president and CEO of the Salt Lake Chamber since 2003. Following his tenure as the chief state Olympic officer for the 2002 Olympic Winter Games, Beattie was recruited to the Salt Lake Chamber by its board of governors. Under Beattie's leadership, Chamber membership has swelled to 7,700 businesses, representing more than 500,000 Utah jobs — more than half the state's workforce. Beattie is a former Utah Senate President.

## CANDLE

from page 1

released into the air."

The candle industry is worth about \$2 billion annually, he said.

"We're trying to stake our claim to that right now," Barnes said. "This lamp and this patented technology that we have in warming the candle wax from the top down really helps set us apart in a really big industry."

In addition to candle-warming products, Candle Warmers also manufactures a line of candles under the Jamie Clair name. The privately held firm's products can be found on its website as well as at stores such as Tai Pan Trading Co., Ben Franklin, Hobby Lobby, Bed Bath and Beyond, Kmart, a number of different outlets in Utah and throughout the country.

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Boston-based Fantastic Sams Hair Salons, a nearly 1,300-unit hair salon chain, is seeking franchisees to open 10 new locations in the greater Salt Lake City market. Currently, the firm has 15 salons in Utah. "While many brands protected their spending in 2009, we continued to market, spend and grow our brand," said company CEO Scott Colabuono. "Even during this down-turned economy, there is opportunity. Our business model of affordable in-salon services combined with our investment model continued to drive franchise inquiries and our salon opening pipeline. It was proven in the last year that our business model was recession resistant, in fact, many of our salon owners experienced

revenue increases of up to 10 percent." Last year, the company opened more than 35 new locations, following the launch of 54 units in 2009. "After evaluating our nationwide demographic research, we feel doubling our salon count over the next several years is within reach. We have focused on building an elite infrastructure to support our growth," Colabuono said. The average initial investment to open a Fantastic Sams Hair Salon ranges from \$90,000 to \$200,000. There is a fixed fee royalty. Fantastic Sams Hair Salons has been consistently ranked as one of the top franchise opportunities by *Entrepreneur* magazine, *Black Enterprise* magazine and *Franchise Times*.

## Energy technology firm reportedly moving headquarters to Ogden

Infinia Corp., a Kennewick, Wash.-based energy technology company, is reportedly moving its headquarters to Utah.

While company officials could not be reached for comment, an article in the *Tricity Herald* in Washington state reports that roughly 56 employees have been extended offers to take jobs in Utah and about 39 are expected to be laid off, with the transition scheduled to begin July 1. The company had 125 employees this spring in its Kennewick office, plus 20 additional contract employees, according to the article. Since then, about 15 employees have been moved to Ogden, leaving 110 full-time employees

in the Tri-Cities who may transfer, be laid off or remain at Infinia's Kennewick business.

Infinia is commercializing a product called the PowerDish, a solar-power generation product that converts concentrated solar energy into electricity. The product couples the firm's free-piston Stirling engine with a dish-style solar concentrator to produce 3.2 kilowatts of grid-quality AC power. The firm bills the product as the world's first solar power generation product suitable for automotive-scale manufacturing and deployment, ranging from single units for end-users to thousands of units deployed in utility-

scale solar power plants. Since 1985, Infinia has been delivering super-high reliability, zero-maintenance, free-piston Stirling engines and power systems to commercial companies and government agencies.

According to the Herald article, Infinia completed its first commercial installation of the PowerDish in January.

Mike Ward was appointed CEO of Infinia in April. He most recently was president of Autoliv Americas, a provider of automotive airbag and safety restraint systems with 12,000 employees. It has an assembly facility in Ogden.

### Salt Lake City accounting firm elevates two to partner

Salt Lake City-based Mantyla McReynolds, Certified Public Accountants has promoted to people to the position of partner.

Matt McReynolds, CPA, has been with Mantyla McReynolds for approximately 12 years. He has been heavily involved with companies going public through initial SEC registrations and reverse acquisitions. He has guided companies through numerous technical issues such as convertible debt and equity transactions.

McReynolds services publicly traded issuers and privately held companies throughout the United States as well as companies with international operations.

Brian Cheney, CPA, has been with Mantyla McReynolds since 2008. While at Mantyla McReynolds, his clients have successfully completed secondary public offerings aggregating over \$500 million.

Mantyla McReynolds' practice focuses on assurance and tax ser-

vices.

"It is with excitement that we welcome Matt and Brian to the partnership as they have continually exemplified leadership and success," said Don Mantyla, co-founder and partner. "They demonstrate the important skills necessary of a partner as they've made significant contributions to our clients, communities and our staff."

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## MINI of Murray to construct new dealership on State Street



Artist's rendering of the new MINI facility, which will be located about a block away from the firm's current location.

MINI of Murray, a Firmco Group company, will be break ground this summer on a new state of the art facility at 4767 S. State St., Murray, roughly a block away from its current showroom.

The new facility will house sales, service and parts in a 14,500 square foot building that will be large enough to display five MINIs and a service department that will feature six service bays. Architect Blake Luther of Luther Studio Architects is working with MINI of North America on the project. The general contractor is Culp Construction. Completion is slated for December.

The New MINI, built by

BMW, first came to Utah in 2002 when BMW of Murray was chosen to be one of the select BMW dealers to sell and service the New MINI in the United States. At that time, the MINI line-up was only the MINI and the MINI Cooper S; both were two-door coupes. The MINI line-up now includes coupes, convertibles, the Clubman and the new Countryman. All models can be had with either the four-cylinder fuel-injected engine or the "super" version which has twin turbos. The Countryman is larger than other MINIs by a few inches to accommodate four doors and all-wheel-drive.



Big Lots Inc., a Columbus, Ohio-based retailer of brand-name closeout and bargain products, has leased the former Albertsons/Fresh Market location at 370 E. 200 S. near downtown Salt Lake City and plans to open its doors there on Aug. 4. A grand opening will be held Aug. 12 at the approximately 22,000 square foot location. It will be the firm's ninth location along the Wasatch Front. The company, which carries a broad assortment of merchandise, including consumables, seasonal products, furniture, housewares toys and gifts is the nation's largest broadline closeout retailer, with annual revenues approaching \$5 billion. Big Lots operates more than 1,400 retail stores serving 48 states. Brand-name products from 3,000 manufacturers are supplied to stores through five regional distribution centers with more than nine million square feet of distribution capacity.

## Translation company to move HQ to Salt Lake City

U.S. Translation Co., South Ogden, is going to make the historic Keyser Building at 320 W. 200 S., Salt Lake City, its new headquarters.

David Utrilla, owner of U.S. Translation, has purchased the structure and will make its 8,225 square foot the headquarters of his company in October. U.S. Translation Co. has been looking for downtown Ogden space for the last several years after experiencing growth in the language translation and live interpretation business. The building's usable floors will be leased out to businesses interested in the unique design and layout of the building, on which construction was begun in at the turn of the 20th century buy Salt Lake City entrepreneur Aaron Keyser. Creation in 1887 of the Interstate Commerce Commission helped regulate a booming railroad industry and track outlets started springing up in the area. Keyser envisioned warehouses big enough to satisfy

growing needs.

The original design of the building by William A. Larkin embodies late 19th and early 20th century commercial-warehouse style architecture. Interior décor has suffered at the hands of gaudy trends (faux gold fixtures, green carpet and excessive mirrors) through the last four decades; however a return to industrial roots with a modern twist has begun.

Renovations have begun and are being overseen by principal architect Warren Lloyd of Lloyd Architects, Chris Nielson of Evergreene Construction and Carl Perkins with NAI Real Estate. Measures are being taken to not only comply with renovation standards for historical structures but also use techniques and reusable materials that fit requirements for environmentally sound construction.

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## • Industry Briefs •

### ARTS/ENTERTAINMENT

• The initial **Utah Arts Festival attendance projections** show that 2011 festival attendance has **increased 15 to 20 percent** from last year. Numbers have been tallied from overall earnings. The increase in funds raised from the festival go directly to the artistic programs for next year's Utah Arts Festival. Web traffic to the festival was also up 25 to 30 percent over the four-day event.

### BANKING

• **Diana George** has been promoted to manager of **Zions Bank's Women's Financial Group**, the region's first specialty banking organization for women. George

joined Zions Bank in 2010 as a vice president and commercial relationship manager. She holds an MBS from Colorado State University and a bachelor's degree from University of Phoenix. The Women's Financial Group has helped solidify Zions Bank's standing as the top SBA lender to women and minorities.

• **Sabrina Erickson** has been named vice president of **Brighton Bank** and will also remain serving as loan compliance officer. Erickson has been with Brighton Bank since 1981 and has held several positions including assistant vice president, loan officer and documentation officer.

• **Utah Community Credit**

**Union**, Provo, has released its **mobile money management applications** for iPhone and Android smartphones. UCCU members have three ways to access information on accounts from their mobile phones — by signing up for UCCU's text banking at uccu.com; the mobile website, mobile.uccu.com and mobile applications, which can be found by going to the UCCU website from a mobile phone. The new mobile banking applications are available to all UCCU members immediately.

• **Lorenz Schwarz** has joined **Green River Capital**, an West Valley City-based REO asset management and loss mitigation provider for mortgage services, investment firms, credit unions and banking institutions, as chief operating officer. She will also supervise the operations of GR Financial, a short sale company, as well as Infinity Valuation Services, a BPO provider. She has more than 20 years of experience in the commercial and residential mortgage servicing industries.

### COMPUTERS/SOFTWARE

• **Mozy**, an online backup service from EMC Corp., has made available its app for MozyPro customers. The Mozy mobile app lets end users securely access files they protect with MozyPro from an Android or Apple iOS device. For Android users, the app can be downloaded from the Android Market, and for iOS device users of version 4.0 and later, the app is

now available in the iTunes App Store.

• **UNICConnect**, a Sandy-based bioscience software provider, has **entered the European life science market** after signing a deal with Viva Biotech, a Spanish hematologic screening company. With UNICConnect's laboratory information management software, UNIFlow, Viva can compare pharmaceuticals against multiple blood types to find effective treatments for patients.

• **inQuo**, a computer support and repair company based in Salt Lake City, is **accepting nominations for small businesses that need computer support** now through Aug. 29. Preference will be given to micro and home-based businesses, as well as those run by individuals with disabilities. To nominate a small business, fill out the nomination form at [www.inquo.com/sbgrant](http://www.inquo.com/sbgrant).

### CONSTRUCTION

• **Zachary McClellan** has joined **PSI's** Manager-In-Training (MIT) program, an independent engineering and testing firm with an office in Salt Lake City. McClellan is a graduate of the University of Utah with a bachelor and master of science in civil engineering. He will take his MIT training in PSI's Salt Lake City

operations office.

• **Shawn Turpin, PE**, has accepted a position with **Professional Service Industries (PSI)**, an independent engineering and testing firm, overseeing its PacifiCorp Special Project. He is also the concurrent geotechnical and environmental services department manager based in PSI's Salt Lake City office. Turpin is a graduate of the University of Utah with a B.S. in civil engineering.

### EDUCATION/TRAINING

• **William F. Shughart** will join the faculty of Utah State University, Logan, at the **Jon M. Huntsman School of Business** as a professor in the economics and finance department. Shughart is listed among the top five percent of authors at IDEAS, the largest bibliographic database dedicated to economics, and has published more than 200 scholarly articles, book chapters and reviews. In addition to his research interests in industrial organization, antitrust and public choice, Shughart has written extensively on tax policy, energy policy, education reform and college sports.

• The U.S. Patent and Trademark Office has granted **Prosper**, a provider of one-on-one customized education programs for students, headquartered in Provo, a **patent protecting its process for marketing and delivering its financial coaching services**. The patent will protect Prosper's method for attracting potential students who are qualified for the financial coaching program, and how those coaching sessions are supplied after a student's enrollment. To receive a U.S. Patent, a company must demonstrate unique process or design. The U.S. Patent and Trademark Office then examines the application to determine if the content is an original thought or process. The patent gives Prosper exclusive rights to the coaching model it has in place.

• **William Warren**, a career communications strategist, will join the **University of Utah** as its chief marketing and communications officer. The new position is responsible for marketing, public relations and community relations for the institution. Warren previously served as vice president of communications at CA Technologies in New York City, an independent software corporation. For the past three years he managed external and internal communications for the company's business units and its global research and development organization.



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• **Jon Slodan** has been hired as the new director of the master of science in information systems program at the **David Eccles School of Business** at the University of Utah. The MSIS program trains leaders that drive the technology of business. Classes span a variety of subjects, including emerging technologies, Web applications, system design, security and data management. Slodan previously served as a senior project manager with StayWell Interactive and The Church of Jesus Christ of Latter-day Saints.

#### GOVERNMENT

• The **Internal Revenue Service** announced an **increase in the optional standard mileage rates** for the final six months of 2011. Taxpayers can use the optional standard rates to calculate the deductible costs of operating an automobile for business and other purposes. The rate increased to 55.5 cents a mile for all business miles driven from July 1 through Dec. 31. The IRS made the adjustment for the final months of 2011 in recognition of recent gasoline price increases.

#### HEALTH CARE

• **Intermountain Healthcare**, a nonprofit healthcare system serving Utah and southeastern Idaho residents, has been selected by

*Computerworld* magazine, a source of technology news and information for IT influencers worldwide, as one of the **top workplaces for information technology professionals**. The honor is part of the IT publication's annual Best Places to Work in IT survey, which was published in a recent issue and is available online at computerworld.com. Intermountain is the only organization named in Utah in the survey, and is recognized for creating and using medical information technology to improve patient care. Intermountain places 48th in the ranking.

#### HOSPITALITY/FOOD SERVICE

• **Andrea Heffner** has been appointed to the position of director of sales and marketing for **The St. Regis Deer Valley** hotel. She joins the Deer Valley staff from the Palace Hotel, a Starwood Luxury Collection property in San Francisco, where she served as the director of group sales.

• Five drivers from **Nicholas and Co.**, a foodservice distributor headquartered in Salt Lake City, competed in the annual **Utah Truck Driving Competition**, sponsored by the Utah Safety Management Council. All drivers must be accident free to participate, and must compete in written, pre-trip inspections and a six prob-

lem driving course in nine categories. All five drivers finished in the top 15, and **Steve Tribe** won first place in the five-axle competition, qualifying him to participate in the 2011 National Truck Driving Championships in Orlando, Fla. later this summer.

#### LAW

• **Stoel Rives**, a law firm with offices in Salt Lake City, has received a **Gold Standard Certification** from the **Women in Law Empowerment Forum**, an organization for women in law dedicated exclusively to women from the Amlaw 100, Second Hundred and Fortune 1000 corporate law departments. The certification process focuses on whether women were significantly represented in top leadership positions among top-earning attorneys. Stoel Rives was one of 32 law firms in the nation to meet the requirements.

• **Denise A. Drago**, partner with **Snell and Wilmer's** Salt Lake City office, has been elected president of the **Rocky Mountain Coal Mining Institute**, a nonprofit corporation that promotes western coal through education. She will be the second woman to hold the position since 1912. Drago's practice is concentrated in natural resources, coal law, water law, environmental law,

public land law, mine safety and health law. She is a member of the Leadership Council for the American Bar Association's section on Environment, Energy and Resources, a fellow of the American Bar Foundation and is also a former member of the executive committee of the Rocky Mountain Mineral Law Foundation.

• Two attorneys from **Fabian Law**, Salt Lake City, have been elected to the Real Property Section of the **Utah State Bar**. **Bradley L. Tilt**, a shareholder in the firm, holds the position of office of secretary, and **Sara E. Bouley**, also a shareholder, has been elected treasurer. Tilt represents local and national clients in real estate, construction and commercial litigation matters. Bouley maintains a diverse practice that includes commercial litigation, complex business and corporate law, real estate litigation and aviation law.

• **Jonathan Hafen**, attorney with **Parr Brown Gee and Loveless**, has been appointed as the new chair of the Utah State Bar's Litigation Section, the largest section of the Utah State Bar. Hafen plans to expand the continuing legal education programs offered by the Litigation Section and to promote increased interaction between section members and

judges. In addition to this role, Hafen will continue to serve as the national membership chair of the Federal Bar Association. In his legal practice, Hafen handles litigation, including cases in the areas of securities and investment law, employment law, breach of contract, road and access cases, intellectual property, medical devices, and more.

#### MANUFACTURING

• **ZAGG Inc.**, a mobile device accessories provider, headquartered in Salt Lake City, has acquired privately held **iFrogz Inc.**, a leading mobile device accessories company that specializes in lifestyle audio products and protective cases, for approximately \$105 million. IFrogz products are sold worldwide through retailers such as AT&T, Best Buy and Walmart, and is based in Logan. Under the terms of the agreement, ZAGG acquired all of the outstanding stock of iFrogz for \$50 million cash and 4.4 million restricted shares of ZAGG common stock, and assumed approximately \$5 million in outstanding debt. iFrogz will operate as a wholly-owned subsidiary of ZAGG and will continue to be based in Logan.

• Two of **Vivint's** systems, the Home Automation Package and the Advanced Security Package,

*continued on next page*

# A Film Festival

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from previous page

have received a **Best Buy rating** from *Consumers Digest*. The rankings will appear in the July/August issue. Vivint, headquartered in Provo, is a home automation company. Best Buy ratings are awarded to less than 3 percent of the competing models in any given industry. A product that receives the achievement is

recognized by *Consumers Digest* as having exceptional value in today's marketplace.

• **Humless**, a Provo start-up, has made available its **Humless Sentinel and Humless Roadrunner power systems**. Both are environmentally friendly and silent, and incorporate universal 110VAC, 12V DC and USB connectors. The products are rechargeable via solar, wind, hydroelectric, hand crank or other clean power. The units are safe for indoors and outdoors use.

#### MEDIA/MARKETING

• **Wall Street Communications**, a marketing communications firm headquartered in Salt Lake City, has been enlisted by **LiteTouch**, a manufacturer of lighting control products, to provide worldwide public relations and social media advisory services. LiteTouch delivers lighting control solutions designed to be installed and custom programmed by authorized dealers, certified installers and distributors worldwide. The lighting control systems are engineered for

both new construction and retrofit applications.

• **Freestyle Marketing Group**, a full-service advertising agency headquartered in Salt Lake City, has added four new team members. **Shawna Gunther** has joined as account coordinator, **Bailey Inlay** joins as associate art director, **Jared Barnett** has been promoted to copywriter, and **Annie Paul** joined as an intern.

#### REAL ESTATE

• The Salt Lake City office of **CB Richard Ellis (CBRE)** brokered three office leases for Maier Siebel Barber, a San Francisco-based real estate investment company. The leases were for space at **Lone Peak Center** (11747 S. Lone Peak Parkway) in Draper. The 88,000 square foot center was purchased by Maier Siebel Barber in late 2010. Prior to purchasing Lone Peak Center, Maier Siebel Barber previously owned more than one million square feet of office space in several Salt Lake area office buildings, including the Triad Center, H.K. Tower, 136 East South Temple, Union Woods

and Mountain View Corporate Center. Tenants coming to the Lone Peak Center are O'Curran Teleservices (19,000 square feet), Xensoft (8,000 square feet) and Prosper (11,500 square feet).

#### RESTAURANTS

• **Bambara**, a Kimpton restaurant in Salt Lake City, has started its **"Powers' Hours"** in its adjacent club, **The Vault**, featuring half priced bar bites throughout the work week from 3-5 p.m. The Powers' Hours menu includes Morgan Valley lamb sliders with cucumber slaw, mint pesto for \$5.50, with frites for \$1.50, calamari with chipotle tartar sauce, cilantro and limes for \$6 and Bambara's house-cut blue cheese potato chips for \$4.

• **Menchie's**, a franchisor of customizable frozen yogurt, has opened its **newest location in Orem** at 153 N. State Street. Menchie's offers more than 100 rotating yogurt flavors and more than 60 rotating toppings. The company manufactures its frozen yogurt exclusively through its own private label, and the product con-

tains live and active cultures and has received the Live and Active Culture (LAC) seal, indicating its endorsement by the National Yogurt Association.

• **Ruth Driggs** has been named as the new director of catering for **Bambara**, a Kimpton restaurant in Salt Lake City. Driggs has previously worked in catering and event management at the Sheraton Salt Lake City, Thanksgiving Point and the Provo Marriott Convention Center.

#### SERVICES

• **AlphaGraphics**, a producer and manager of visual communications for businesses, headquartered in Salt Lake City, has started its **third annual national food drive campaign**, which is set to run at participating locations nationwide during the month of July. The AlphaGraphics Fights Hunger drive encourages businesses, customers and the public to contribute to the nonperishable food collection efforts for local food banks.

continued on page 15

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# HR Matters

## Employment practices: test your knowledge

Ever wondered about your employment practices, if perhaps maybe following the “industry standard” might not be legal? In working with a number of employers that span across a variety of industries, our ESG human resources consultants have heard a few basic questions that are repeated by multiple clients. Test your knowledge and/or your employment practices and see if you’re in line with where the law stands.

**Q: Employees who receive tips don’t have to be paid the federal \$7.25 per hour minimum wage, right?**

**A: Yes and No.** First of all, to be considered a “tipped employee” in Utah, employees must make at least \$30 per month in tips. If that criterion is met, then the base minimum wage for a tipped employee is actually \$2.13. However, Utah tipped employees must make a combined amount (tips *and* base \$2.13 wage) of at least the federal minimum wage of \$7.25 per hour.

If they don’t make that minimum \$7.25 per hour with the combined tips and base wage within a given pay period, *then* the employer must make up the difference.

**Q: I heard we can pay teenagers less than the federal \$7.25 per hour minimum wage. Is that true?**

**A: Yes.** This is called the training wage. In Utah, minors (employees under 20 years old) may be paid \$4.25 per hour as a training wage for the first 90 consecutive calendar days of employment. If your community is saturated with teenagers wanting summer employment, you may likely find some employees willing to work for this rate. Obviously, this won’t make you a very competitive employer and perhaps may deter the more capable workers from applying for the job, but there may be a chance of finding a star employee that just needed to get her foot in the door.



Dalynn Jones

**Q: I have a business license but don’t have any employees. I have a few jobs that I’d like to pay my nephew to help me with this summer, but do I have to pay him as an employee if he makes less than \$600?**

**A: Yes and No.** The “\$600” rule that you’re likely referring to pertains to independent contractors. That particular rule says that if you pay a *contractor* less than \$600, you do not need to file a 1099. Anything more than \$600 paid to a *contractor*, however, requires a 1099 to be filed. Paying your nephew to do some side jobs for you would mean he’d need to become a true independent contractor, i.e., have his own FEIN, obtain his own workers’ compensation coverage (or exemption certificate), be able to take on the risk of profit/loss for his efforts, provide his own tools, market his skills to obtain additional jobs and, of course, be responsible to pay his own tax withholdings, including Social Security and Medicare taxes. Unless your nephew is in the

process of doing all of this already to become a business owner, he should be paid as an employee with you as his employer.

**Q: I pay all of my employees a salary, so I don’t need to worry about paying overtime, right?**

**A: No.** Being paid on a salary basis doesn’t automatically qualify you for an overtime exemption under the Federal Labor Standards Act (FLSA), regardless of your fancy job title. To be exempt, you must (a) be paid at least \$23,600 per year (or \$455 per week), (b) be paid on a salary basis, *and* (c) perform exempt job duties, as outlined under the FLSA.

**Q: Do I have to pay my employees while they eat lunch?**

**A: No.** However, to qualify for a true non-paid lunch break, the company should have a meal-break provision that specifies that employees will have a non-paid meal break of 30 minutes or more where they’ll be *completely relieved of their job duties*. Completely relieved of job duties

means they CANNOT do any form of work for the company while on their lunch break, including answering phones, responding to employee requests, replying to work-related e-mails, etc. An employee who eats her sandwich while checking e-mail will not qualify for a non-paid lunch.

**Q: Can we pay our outside door-to-door salesmen as 100 percent commissions?**

**A: Yes,** but with some stipulations. First of all, according to the Department of Labor, “the employee’s primary duty must be making sales or obtaining orders or contracts for services or for the use of facilities for which a consideration will be paid by the client or customer.” In addition, commission-only employees who are exempt from overtime are *not* office employees — i.e., they must be regularly away from the employer’s office or place of business. You can pay office employees on a commission-only basis, but they will *not* receive

*see EMPLOYMENT next page*

# Inside the Business Owner’s Brain:

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- Lunch with investors this Friday
- Train my managers on how to handle a harassment claim
- Verify installers are classified correctly as exempt
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## EMPLOYMENT

from previous page

the FLSA outside sales exemption from overtime.

**Q: Can't we just pay our outside door-to-door salesmen as independent contractors?**

**A: No**, not unless they are truly independent contractors. Again, independent contractors have their own FEIN, their own workers' compensation coverage (or exemption certificate), risk profit/loss for their efforts, provide their own tools, market their skills to obtain additional jobs (i.e., they don't just work for your company), don't require training specific

to your job and are typically paid when the job is completed rather than on a set pay schedule. If you "hired" a worker to do outside sales for your company, you likely hired an employee.

Dalynn Jones, PHR, has a master's degree in business administration and more than eight years of human resources experience. She is currently a senior human resources consultant for Employer Solutions Group (ESG), a PEO that provides human resources consulting, payroll and administrative services, creative benefit offerings, and employer liability reduction to its client companies. For more information, visit ESG online at [www.esghr.com](http://www.esghr.com).

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— **Craig Madsen**, Partner/Founder, J&M Steel

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## Small Business Spotlight

### Taylor Andrews Academy of Hair Design 9052 S. 1510 W. West Jordan, UT 84088

Founded in 2002, Taylor Andrews is one of the nation's most prestigious cosmetology schools, teaching students hair design, nail artistry and esthetics, as well as business and personal skills.

The firm's management team consists of Larry Curtis, president; Sherri Curtis, vice president; and Brooke Sperry, corporate director. The company has 50 employees in three Utah locations.

.....

**Q:** What brought you the most satisfaction with this business?

**Larry Curtis:** The greatest reward I have had with this business is seeing our graduates have success. Any school can teach their students to cut hair; our focus has been in teaching our students the principles of success. We believe that teaching personal skills such as networking, customer relations, personal finance and marketing give our students a greater chance to build a career instead of just a job. I always tell my students that technical skills get you in the game, but it is your personal skills that help you win the game. We have seen fantastic results, with graduates from New York to Los Angeles and right back here in Salt Lake City having great careers.

**Q:** What brought you the greatest dis-

appointment?

**Curtis:** The biggest disappointment has been how the economy has forced us to change from a "private financing school" to government financial aid school. Although it is great that having government financial aid allows more potential students the opportunity to attend, it also changes your student mix, and allows some who are not fully invested in becoming successful to attend school.

**Q:** How did the recession affect you?

**Curtis:** Once the recession began, it was increasingly difficult to find potential students who were willing to apply for private financial aid. This caused our enrollment numbers to drop significantly almost overnight. To survive in this economy, we were forced to look for other options, including student loans through Mountain America and government financial aid to offer potential students. With out the assistance of Mountain America, our cash flow challenges would have been too difficult to overcome.

**Q:** How do you feel the Utah economy is doing now?

**Curtis:** Adding additional financial aid options has started to make a difference, as our enrollment numbers are on the rise, which has begun to positively impact our cash flow. Offering private aid, government aid and loans puts us in a much stronger position. Although I believe there will still be bumps in the road ahead, I am positive about the future.



The staff at Taylor Andrews' West Jordan location. Larry Curtis' salons have been featured in Allure, Elle and Maire Claire magazines. Salon Today magazine named his salon one of Americas 200 hottest. Below left, company president Larry Curtis. Below right, the front desk at Taylor Andrews Academy.



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## Utah On the Rise



### Ready for Recovery

*By Chris Hipwell, president  
Associated Builders and Contractors, Utah Chapter*

It seems that in today’s economic climate the current buzzword is “recovery,” and rightly so. Economists say that the recovery officially started in summer of 2009. The question of the day is, when will we start to see actual results of a recovery? With the rise in commodity prices, the crisis in Japan and the price of oil, the recovery certainly seems to have stalled and the projected recovery for 2011 has been nothing short of benign. So, as the business world awaits signs of a stronger recovery, the construction world is embarking on initiatives to strengthen our workforce and prepare to head off a serious labor shortage when the economy resuscitates.

Let’s ask ourselves: how does society measure a historic culture? Indicators that measure the success of a society include the structures left behind by that civilization. With influences from Greek and Phoenician societies, the Roman usage of the arch and dome gave us such marvels as the ancient aqueducts and the Pantheon. Egypt is most famous for its pyramids. The Pyramids of Giza alone engaged an estimated 30,000 skilled craftsman over an 80-year period. So if civilization is judged in part by these engineering and construction marvels of ancient times, isn’t it time to recognize our current construction discipline in the same respected arena of those ancient master builders?

Often when the public thinks about a career in construction, it’s the old “ditch digger” concept they retain. Not so! Today construction careers include positions that require a higher education degree, knowledge of sophisticated software appli-

cations, management, leadership and organization skills, excellent trade and craftsman skills, etc. It is the compilation and mastering of these tasks that allow our industry to follow in the footsteps of the great Roman and Egyptian builders.

According to The Construction Education Center of Associated Builders and Contractors, (Connecticut) the construction industry needs to recruit nearly 250,000 new workers each year. Associated Builders and Contractors is spearheading a national effort to support bold and innovative initiatives that will attract outstanding young men and women to the industry, training them to be skilled professionals and providing them with career paths in merit shop construction.

In the next five articles of this series, we will explore construction career opportunities. First and foremost, it’s an educational series to help illuminate the public and business world, including high school and vocational career counselors, teachers, parents and students, as to what career paths the construction industry offers. As a major economic indicator of the global economy, construction is a sophisticated industry that demands talent, skills and education. How will our society be judged by future generations when they study the contributions we have left behind?

Associated Builders and Contractors (ABC) is a national association with 75 chapters representing 23,000 merit shop construction and construction-related firms with nearly two million employees. For more information contact Chris Hipwell, Associated Builders and Contractors, (801) 708-7036.

ABC - Building the Future of Construction



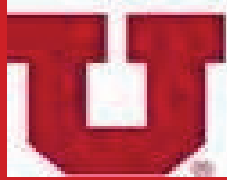
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**TECHNOLOGY/LIFE SCIENCES**

• **Digis Networks**, a provider of Internet connectivity and VoIP telephone services to homes and businesses in the Intermountain region, headquartered in American Fork, has **overhauled its high-speed Internet network in Utah County**, making the company the only Internet service provider capable of delivering speeds of more than 10 Mbps across the county. The upgrade more than triples the download speed and introduces new speed packages. Instead of 2 and 7 Mbps options, customers can choose from download speeds of 5, 10 and 15 Mbps, extending capability for HD video streaming, online gaming, online backups and other large-scale file transfers. The new network will launch in Weber and Davis counties by the end of the

summer.

• Applications are being accepted through July 5 for the General Technology **“Concept to Company” Innovation Contest**, sponsored by Grow Utah Ventures and Zions Bank. The contest will focus on new innovations involving technology. The main objective of the contest is to encourage and support Utah entrepreneurs with the intent of helping them turn their concepts into a company. The contest is open to any Utah-based entrepreneur or small business with a product or service innovation involving technology. For more information and to apply, visit [www.concepttocompany.org](http://www.concepttocompany.org).

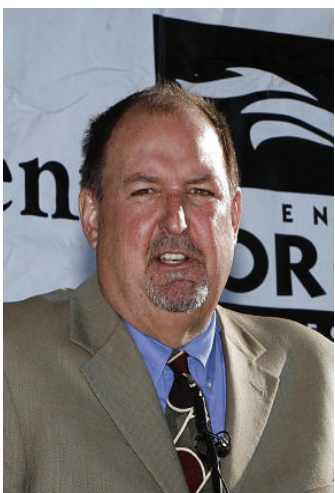
• Twelve Utah business leaders have been elected to the **Utah Technology Council’s board of trustees**. Named to the board are **Brad Rencher**, vice president and general manager

*continued on next page*

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*The Enterprise* seems to have its finger on the pulse of the business communities of Utah. I look forward to reading it every Monday!”

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of the Omniture Business Unit of Adobe Systems Inc; **Chet D. Linton**, CEO and president of the School Improvement Network; **Dee Anderson**, associate director of technology transfer at BYU; **Derek Miller**, chief of staff to Gov. Gary Herbert; **Kent Bowman**, audit partner, Tanner LLC; **Keyvan Esfarjani**, co-CEO, IM Flash Technologies; **Robert T. Behunin**, vice president for commercialization and regional development at Utah State University; **Robert G. Harrison**,

chief information officer at Myriad Genetics; **Scott Petersen**, managing director of the Rollins Center for Entrepreneurship and Technology at BYU; **Shaun Steel**, COO/partner of VLCM; and **Spencer P. Eccles**, executive director of the Utah Governor's Office of Economic Development.

• Salt Lake City's **Great Basin Corp.**, a privately held life sciences company, has initiated its first clinical trial evaluating its molecular **diagnostic test for Clostridium difficile** (C. diff), one of the most common and deadly hospital acquired infections. The

company expects the trials to take place at four sites across the U.S. The independent pre-clinical study was conducted at two regional hospital laboratories with a sample of 232 test subjects. C. diff causes severe and deadly diarrhea, and is one of the most difficult to treat infections with the BI strains of C. diff, being virulent.

#### TRANSPORTATION

• **England Logistics**, a transportation provider located in Salt Lake City, has joined the **U.S. Environmental Protection Agency** as a **SmartWay Transport**

**Partner**. The program helps transportation companies calculate their environmental performance and set improvement goals to reduce greenhouse gasses and air pollution. England Logistics will contribute to the partnership's savings of 1.5 billion gallons of fuel, \$3.6 billion in fuel costs, 14.7 MMT of carbon dioxide, 215,000 tons of oxides of nitrogen and 8,000 tons of particulate matter.

#### TRAVEL/TOURISM

• **VacationRoost**, a marketplace for professionally managed homes, villas and condos,

has launched a **new website** that features the new VacationRoost brand and image. The site, [www.vacationroost.com](http://www.vacationroost.com), features more than 150,000 professionally managed vacation rentals across North America, Hawaii, Mexico, the Caribbean and South America. The company has plans to add European homes and villas to the site in the third quarter of this year. The website provides consumers with the ability to find vacation rentals and package them with air travel and car rentals and activities to create a tailored vacation package.

# THE Enterprise

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## What is the meaning of WOW? And how do you create it in your business?

What is WOW?

Maybe the easiest way to describe it is: Who WOW'ed you?

If you can recall that story — and recall how many times you retold it — you're on your way to understanding the process of WOW.

Here are the elements that can set the stage for WOW in your business:

- **Everyone is friendly.** It seems too simple to just say, "Everyone needs to be friendly." What it really means is there is good enough morale inside the company to make friendly possible. If attitudes are down, friendly is impossible. If customers are angry, attitude is challenged. If you are not training attitude proactively, then attitude will be sporadic and friendly will follow suit. If you teach your people to be defensive and allow them to hang up on an angry customer (rather than learn from an angry customer), your reputation will suffer. For the past decade I have proclaimed, "It costs no extra money to be friendly." It's still true.

- **Everyone is helpful.** Here's the help strategy that will work 100 percent of the time: "Tell me what you can do, not what you can't do." Most companies take pleasure in telling you what is NOT possible, telling you what their policy is and giving some lame excuse for what cannot be done. Every time you tell a customer what you can't do, it drives them closer to the competition. Eventually they will jump. It's important to understand that just because you can't do it doesn't mean they no longer need it. When I'm in a hotel and I call room service at 10:30 in the evening because I'm working on my next day's project and I'm a little hungry, and they say room service closes at 10, I respond with, "Oh, I guess that means I'm not hungry anymore." It's no different with your customers. Get them what they want, when they want it. That's help.

- **Everyone is available.** My company has no voicemail, on purpose. If someone is on a call, someone else helps the customer. No one in my company or in your company is too busy to help a customer, including you. No one in my company is either on their phone or away from their desk, and no one in your company should be either. Having a voicemail message that says, "Your call is important to me" is an oxymoron. If it's so damn important, pick up the phone!

- **Ease of doing business.** 24-7-365 is the new 9-5. The easier it is to do business with you, the more of your customers' available dollars you will gain. Please don't take my word for it, just ask Barnes & Noble about Amazon. Amazon has taken over the book world (and the product world) because they made it easy to do business: Click. Buy!

- **Delivery beyond expectation.** Whatever you promise for delivery, you must exceed the promise. Fast delivery is no longer an option; it's an expectation. Everyone knows Zappos. What everyone doesn't understand is that Zappos over-

nights your first order to gain your attention, your respect, and to begin earning your loyalty. (Macy's does not.)

- **Call ahead to warn of backorder.** It never ceases to amaze me that companies will still back-order without prior notification. You know you are out of it and you know the customer needs it. Go buy it from a competitor and ship it! Back-orders with no proactive communication makes your customers angry — angry enough to leave you and shop someplace else, like Amazon, where they tell you in advance whether it is in stock or not and e-mail you the status of your order.

- **Getting customers leads and referrals.** This may come as a shocker, but customers don't want to buy your stuff, they want to sell their stuff. Giving them business will help you earn theirs. It sounds simple, but it is not easy.

It requires knowing them better and knowing their marketplace better. But once you do it, they will never stop talking about it, EVER.

- **Value messages to help THEM.** Big question: What are you tweeting? Bigger question: Are you tweeting? Biggest question: Why the hell are you NOT tweeting? One value message per day (something that will help, improve or inspire your customers) will breed loyalty, not just WOW. Sign up now and ask your best customers to follow you.

- **All things proactive.** I never have to worry about servicing my car. Hendrick Lexus calls me when it's time. I never have to worry about servicing my copy machine. Technocom just shows up. Dr. Menaker tells me when it's time to have my teeth cleaned and Signature Healthcare tells me when it's time for my yearly physical. Maybe that's why I've been a loyal customer for the past 10 years or more to each of these companies, price notwithstanding. What's WOW to me?

- It's being at an event in Wichita, Kan., and having my hometown *Philadelphia Daily News* slid under my door in the morning. WOW!

- It's having a flat tire and Hendrick Lexus driving to my home, fixing the tire and refusing to charge me. WOW!

- It's going to my hotel room and instead of the traditional bowl of fruit, finding an autographed baseball — signed by the staff of the hotel. WOW!

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Jeffrey Gitomer is the author of *Social BOOM!*, *The Little Red Book of Selling* and *The Little Gold Book of YES! Attitude*. President of Charlotte, N.C.-based Buy Gitomer, he gives seminars, runs annual sales meetings and conducts Internet training programs on selling and customer service at [www.trainone.com](http://www.trainone.com). He can be reached at (704) 333-1112 or [salesman@gitomer.com](mailto:salesman@gitomer.com).

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Jeffrey Gitomer

## How to recycle computers

Along with old pairs of skis, your Uncle Milton's bowling ball and the framed pictures of fruit from your failed attempt at "Art," you may also have some old computers, electronics and other parts lying around your basement or garage. Perhaps you own a business that has finally upgraded to computers that were built in this decade. You may have heard that there are materials inside those electronics and computer parts that are not landfill safe. So, what do you do with those ancient computers that used to be the cutting edge technology?

### First Things First

For security purposes, you will want to make sure that any hard drives inside old computers have been erased completely. Just deleting files or doing a basic format is not enough. There are software programs that can completely erase a hard drive completely. One we recommend is *Hard Drive Eraser* (<http://www.harddriveeraser.org>). This free program will use a bunch of fancy algorithms to re-write the data on the drive, making it useless to most people looking for any information. Another option is to remove the drive and have it shredded by a recycler, or even just take a hammer or drill to it. What information could someone find on your old computer? Enough to steal an identity, open up lines of credit or create a fake identification.

### So, Why is it Important to Recycle a Computer?

Computers are made up of many different components and materials. Some of those materials are hazardous to the environment. If a computer makes it way to a landfill, the hazardous materials inside may make their way into the ground, which can then seep into water supplies and further contaminate the soil. Some of the hazardous materials that are present inside computers include lead, lithium, cadmium, mercury, beryllium and more. According to the Global Healing Center, mercury can damage kidneys, cause hallucinations and suicidal tendencies, and can damage cells in the brain. Cadmium can cause damage to the lungs, kidney and bowels, and may cause renal failure.

According to the Recycling Coalition of Utah, nearly 200 million pounds of computers and electronics end up in Utah landfills each year. E-waste can account for up to 70 percent of the heavy metals that are found in landfills. Much of those materials are found in old CRT monitors. Businesses that are caught throwing any items that contain hazardous materials in a landfill can actually be fined, so it is important to dispose of those items properly through

recycling.

### Where Can an Old Computer be Recycled?

Besides the positive environmental impacts, computer recycling can also have good social implications too. There are a number of charitable organizations that may be able to use an older computer or other electronics. Some charities also host recycle drives that allow them to raise money by recycling those old parts with companies that will pay for electronics. Typically, you can write off any donations made to charities on your taxes as well.

inQuo Technology ([www.inquo.com](http://www.inquo.com)) recycles computer desktops, laptops, LCD monitors and other computer hardware. The refurbished systems they build are donated to small and home-based (micro) businesses that are in need of a computer to operate their business. Helping new small businesses succeed helps the local economy.

Recycling is free for drop-offs and free pick-up may be available, depending on the location. inQuo guarantees that they will completely erase the hard drive for any donated computer using special software that cleans the drive completely. They also can remove the hard drive and return it to you for your own disposal.

inQuo is also accepting nominations for small businesses who need computer support, business coaching and other free business services, now through Aug. 29. Preferences will be given to micro and home-based businesses as well as those run by individuals with disabilities. To nominate a small business for a computer donation, fill out the simple nomination form at [www.inquo.com/sbgrant](http://www.inquo.com/sbgrant).

According to the BBC, the lifecycle for computers, cell phones, televisions and other electronics is much shorter now than in the past. Many people replace cell phones on a yearly basis, computers every two years and televisions every five years. That adds up to a lot of electronic waste. By taking actions to reduce the amount of these items in our landfills, we can help the environment and perhaps make a difference in someone's life through charitable organizations that re-use the items.

John Stewart is the operations manager for inQuo, a computer support and repair company based in Salt Lake City. With more than 20 years of combined experience, the inQuo staff can fix a wide variety of computer issues for small businesses and home users. For more advice and information visit [www.inquo.wordpress.com](http://www.inquo.wordpress.com), call (801) 349-2762, or send e-mail to [info@inquo.com](mailto:info@inquo.com).




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- 3. VALUABLE MARKETING:** All of Local First's efforts focus on driving customers to locally owned businesses. Promotions, events, and advertising will all help bring new customers through your door.

#### **FIND OUT MORE**

See if you meet the definition of a Local First business and sign up on line at [www.LocalFirst.org](http://www.LocalFirst.org).

# Just rambling ...

## Living Beyond Your Means

I have noted before that if one's household earns \$60,000 annually, but spends \$100,000, life is good ... that cool vacation, a new car, that big screen TV, etc. The following year, if one's household earns \$65,000, but spends \$110,000, then more of the same. One simply borrows the difference.

The problem is that pesky request to begin paying back the formerly borrowed money, along with that annoying interest expense. This cycle can continue as long as one can find additional lenders and one can make requested payments on time. Unfortunately, this whole approach to "living beyond your means" comes home to roost when the lenders say no more, when the cost of the debt payments and interest payments finally overwhelm the household.

Welcome to Greece today, and possibly the United States tomorrow.

What is true for the household is also true for a nation. Greece has been living beyond its financial means for years, with borrowed money making up the shortfall. The lenders and investors in Greek debt securities have finally said "no more."



Jeff Thredgold

## Brake Set

The American economy is akin to an automobile moving down the highway. This vehicle actually has two gas pedals — one for fiscal stimulus (government spending) and one for monetary stimulus (money creation by the Federal Reserve). The multi-part brake pedal combines a list of concerns (or anxieties) impacting both businesses and consumers.

This "anxiety list" includes such factors today as fears of a possible and temporary U.S. default on its more than \$14,000,000,000,000 national debt, and as to government ever getting spending under control. It includes anxiety about volatile stock prices and declining housing values.

It also includes debt anxiety about Greece and other European nations and how that might impact us. Oil price volatility tied to developments in the Middle East and in Northern Europe also impact our confidence level. In fact, consumer confidence, as measured by the Conference Board, fell to an eight-month low in June as reported June 28.

Never before has the American economy had two gas pedals pushed to the max, pushed to the floor, as now. U.S. government spending today is TWICE what it was 10 years ago. Of every dollar government spends, it borrows 41 cents, comparable to the household noted at the beginning of this piece.

The Federal Reserve has had its gas pedal to the floor for three years, with a tripling of assets on its balance sheet — all financed with newly-created money.

The American economy is on stimulants, on steroids as never before. And yet we struggle, with economic growth at a weak 1.9 percent real (after inflation) annual rate in 2011's first quarter. Second quarter growth is expected to be only slightly better.

More talk has emerged of another down leg for the economy, another recession. One respected economist (yes, an oxymoron) noted in recent days his forecast of a 99 percent chance of another U.S. recession before the end of 2012. Ouch!

For now at least, the consensus view of forecasting economists sees U.S. economic growth at a 2-3 percent real annual rate over the next few quarters. Various economists note that some of the issues that slowed the economy in recent months, including the Japanese earthquake/tsunami/nuclear disasters that slowed U.S. auto production — as well as the upward surge in oil and gasoline prices—will prove temporary. Let's hope so.

## Questioned Theories

Still, exactly how can both gas pedals be maxed to the floor, with resultant soft U.S. economic perfor-

mance during two years of economic recovery? The answer is a collective loss of confidence in national leadership. Business professionals and consumers are scared to death of government out of control.

They are largely scared to death of the President's health care program, which will drive employer and worker costs higher and higher, while bringing government bureaucrats into the doctor/patient relationship more than ever before.

Smaller employers, the backbone of the American economy, know they are not likely to receive a waiver from the health plan requirements, something already granted by Health and Human Services Secretary Kathleen Sebelius to more than 1,400 companies, including McDonald's — companies that threatened to drop all employee health care coverage (*The Wall Street Journal*).

The President's and the Senate's application of Keynesian economics — more and more and more government stimulus (spending) — has fallen victim to anxiety about such spending and massive new debt levels never ending.

A McClatchy Newspapers-Marist poll released on June 27 noted only 37 percent of registered voters approve of the President's handling of the economy, his lowest rating ever. Voters disapprove of the President's handling of the federal budget deficit by two to one. At the same time, no major Republican candidate for President has yet caught fire with the voters.

## Fed ... Take a Break

The Federal Reserve's Monetarist approach — the creation of massive amounts of new "money" to stimulate economic output — has been overwhelmed in some circles by longer-term inflation fears (including those preaching the ownership of gold), some major financial institutions which have greatly slowed lending and a general hesitancy on the part of borrowers to incur new debt.

The vast majority of forecasting economists are fearful that sluggish U.S. economic growth could lead the Fed to institute a third quantitative easing program, a fancy term to explain the creation of hundreds of billions of dollars in additional "money" to stimulate the economy. The current QE2 program of \$600 billion in money creation to buy bonds ended on June 30. Fed critics would suggest that QE2 merely weakened the dollar and boosted inflation, resulting in higher oil and food costs for American consumers while providing little in the way of economic stimulus.

Most forecasting economists would prefer to see the Fed move to the sidelines. The Fed could then make it clear that no major moves in monetary policy will be considered unless and until the administration and the Congress reach a viable agreement to increase the debt ceiling and take the first credible steps toward longer-term deficit containment.

## The Crossroads

This nation is approaching a crossroads. We can get a firm handle on future government spending and bring annual budget deficits back to affordable levels. Or we can continue on the current path to financial ruin, face another self-induced financial crisis and deal with the same external control, external finance issues now being faced by Greece, by Ireland and by Portugal.

Just rambling.

Jeff Thredgold is the only economist in the world to have ever earned the CSP (Certified Speaking Professional) international designation, the highest earned designation in professional speaking. He is the author of *econAmerica*, released by major publisher Wiley & Sons, and serves as economic consultant to Zions Bank.

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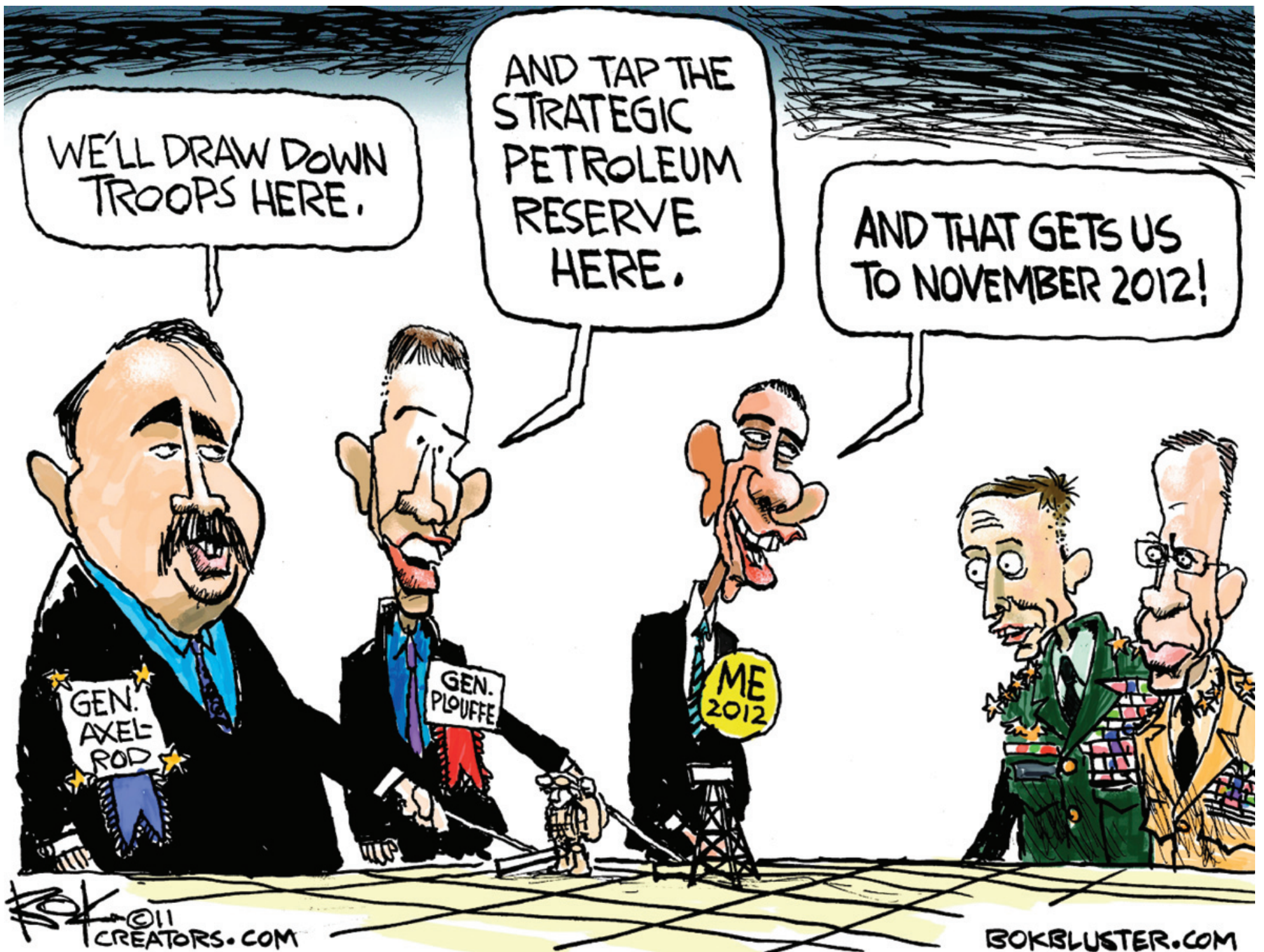
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## The ruinous rant of John McCain

The decline of the Grand Old Party into an angry mob is gaining momentum, with crackpot rage displacing common sense on every major issue from public finance to marriage rights.

An ominous signal of this transformation emanated last week from John McCain, who has been a sometime voice of rationality on such sensitive partisan matters as torture, climate change and immigration. Now he, too, has descended into demagoguery by falsely claiming that illegal immigrants are behind the spread of destructive wildfires in Arizona.

Insisting that there is “substantial evidence” to support his racially inflammatory accusation, the Arizona senator could produce none, and neither could his staff. Instead, there is, as *The Washington Post* noted, not even a shred of evidence that immigrants set those fires. Nobody knows yet why the borderlands blazed, but the U.S. Forest Service has

blamed an “escaped campfire” — and indicated clearly that there is no reason to believe that illegal immigrants are to blame.

Stoking racial and ethnic hostility in the South and West is an old political tactic, yet what may be more harmful is the squandered opportunity symbolized by McCain’s ugly outburst. Not so many years ago, he had joined with the late Sen. Edward Kennedy in leading the nation toward a realistic compromise on immigration, coupling a path toward citizenship for undocumented workers and their families with strict border controls and visa enforcement.

During the years between his two presidential campaigns, McCain and his top aides even created a think tank, the Reform Institute, to advance sensible immigration policy, among other sane ideas. Supporters of the institute and its platform ranged from the usual Republican corporate

donors to George Soros, an immigrant from Hungary who has long advocated humane treatment of immigrants and refugees, both here and abroad.

Momentum toward a workable solution on immigration was lost amid polarizing rhetoric and presidential ambitions well before the 2008 campaign, when McCain finally surrendered to the worst elements in his own party on many issues. But the chances for change have improved lately, with a rapid fall in illegal border crossing and a sharp improvement in border enforcement.

There is no such thing as perfect immigration control, but federal agencies report that the Mexican border is more secure now than it has been for many years, thanks to increased patrol resources provided by the Bush and Obama administrations, as well as economic conditions. Over the past six years, illegal crossings are down by roughly 50 percent.

Or at least the chances for change should have improved

with better security, since most Americans still support enforcement-plus-citizenship, as polls have long indicated they do. Yet while President Obama has continued to promote reform, there is nobody on the Republican side prepared to talk compromise, let alone negotiate a deal.

Now, the Republican politicians who once stood up for bipartisan progress, like McCain, prefer pandering to the xenophobic and hateful factions who increasingly dominate their party base.

The divisions and dislocations caused by illegal immigration present a real problem in American society, but it is a problem with a solution that has been well known for years. The much greater problem is that we no longer have two political parties with a will toward finding and implementing such solutions. We have a party of responsible government that seeks to preserve American institutions — and we have a party of feckless fakers who do nothing but exploit resentment.

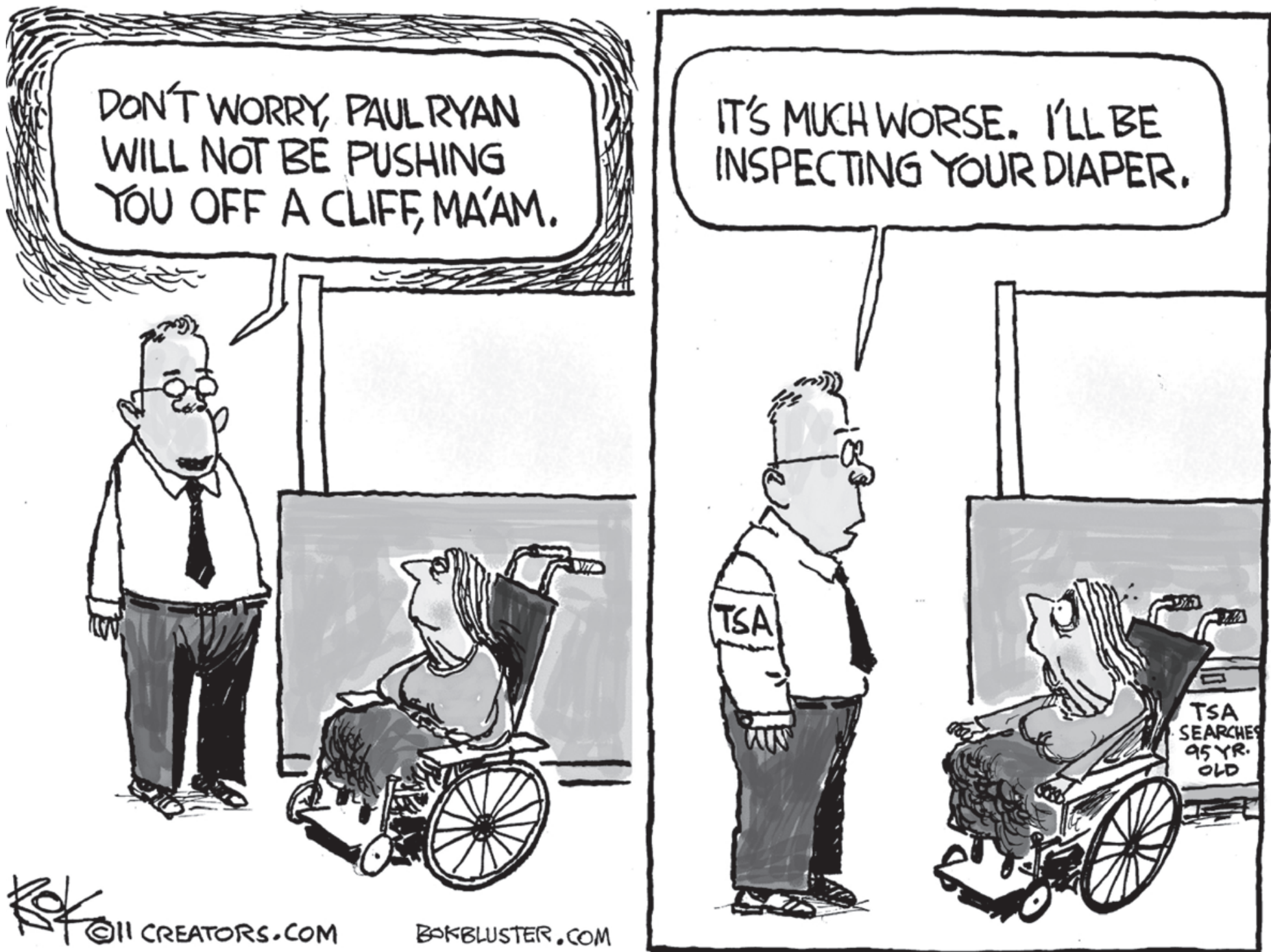
The latest McCain misadventure is a troubling reflection not just on him, but on the future of his party — and perhaps the fate of his country. He helped to complete the intellectual ruin of the Republicans when he chose Sarah Palin as his running mate. With their hostility to science, their appeals to bigotry and their economic quackery, exactly what makes the Republicans fit to govern a leading nation on a troubled, globalizing planet? That is the hidden question of the coming election.

Joe Conason’s articles have been published in *Harper’s*, *The Nation*, *The New Republic*, *The Guardian* (London) and *The New Yorker*, among many other periodicals in the United States and abroad. He also appears frequently as a commentator on television and radio programs. A winner of the New York Press Club’s Byline Award, he has covered every American presidential election since 1980.

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Joe Conason



## Is democracy viable?

The media have recently been so preoccupied with a Congressman's photograph of himself in his underwear that there has been scant attention paid to the fact that Iran continues advancing toward creating a nuclear bomb, and nobody is doing anything that is likely to stop them.

Nuclear weapons in the hands of the world's leading sponsor of international terrorism might seem to be something that would sober up even the most giddy members of the chattering class. But that chilling prospect cannot seem to compete for attention with cheap behavior by an immature Congressman, infatuated with himself.

A society that cannot or will not focus on matters of life and death is a society whose survival as a free nation is at least questionable. Hard as it may be to conceive how the kind of world that one has been used to, and taken for

granted, can come to an end, it can happen in the lifetime of today's generation.

Those who founded the United States of America were keenly aware that they were making a radical departure in the kinds of governments under which human beings had lived over the centuries — and that its success was by no means guaranteed. Monarchies in Europe had lasted for centuries and the Chinese dynasties for thousands of years. But a democratic republic was something else.

While the convention that was writing the Constitution of the United States was still in session, a lady asked Benjamin Franklin what the delegation was creating. "A republic, madam," he said, "if you can keep it."

In the middle of the next century, Abraham Lincoln still posed it as a question whether "government of the people, by the people

and for the people shall not perish from the earth." Years earlier, Lincoln had warned of the dangers to a free society from its own designing power-seekers — and how only the vigilance, wisdom and dedication of the public could preserve their freedom.

But, today, few people seem to see such dangers, either internally or internationally.

A recent poll showed that nearly half the American public believes that the government should redistribute wealth. That so many people are so willing to blithely put such an enormous and dangerous arbitrary power in the hands of politicians — risking their own freedom, in hopes of getting what someone else has — is a painful sign of how far many citizens and voters fall short of what is needed to preserve a democratic republic.

The ease with which people with wealth can ship it overseas electronically, or put it in tax shelters at home, means that raising the tax rate on wealthy people

is not going to bring in the kind of tax revenue that would enable wealth redistribution to provide the bonanza that some people are expecting.

In other words, people who are willing to give government more arbitrary power can give up their birthright of freedom without even getting the mess of pottage. Worse yet, they can give up their children's and their grandchildren's birthright of freedom.

Free and democratic societies have existed for a relatively short time, as history is measured — and their staying power has always been open to question. So much depends on the wisdom of the voters that the franchise was always limited, in one way or another, so that voting would be confined to those with a stake in the viability and progress of the country, and the knowledge to cast their vote intelligently.

In our own times, however, voting has been seen as just one of the many "rights" to which everyone is supposed to be entitled. The

emphasis has been on the voter, rather than on the momentous consequences of elections for the nation today and for generations yet unborn.

To those who see voting as more or less just a matter of self-expression, almost a recreational activity, there is no need to inform themselves on both sides of the issues before voting, much less sit down and think beyond the rhetoric to the realities that the rhetoric conceals.


Careless voters may be easily swayed by charisma and rhetoric, oblivious to the monumental disasters created around the world by 20th century leaders with charisma and rhetoric, such as Hitler.

Voters like this represent a danger of terminal frivolity for freedom and democracy.

Thomas Sowell is a senior fellow at the Hoover Institution, Stanford University, Stanford, CA 94305. His Web site is [www.tsowell.com](http://www.tsowell.com). Copyright 2011 Creators Syndicate



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