

### THIS WEEK

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## Report: Wasatch Front commercial real estate market on the mend

Thriving tenants at City Creek Center, a significant drop in office vacancy rates and industrial lease rates are on the rise, according to a 2012 quarterly report by commercial real estate brokerage NAI West.

In the retail market, the newly-opened City Creek Center brings 700,000 square-foot of retail space to downtown Salt Lake and includes 90 new stores and restaurants, creating a huge boon to the city's retail market. Chris Hatch, co-founder, partner and principal of Mountain West Retail-Investment, said the retailers at City Creek are performing well, especially with the well-timed opening that coincided with the Easter holiday and the LDS General Conference.

"The retailers typically have a strong opening and then see a tapered-off sales stream from there," Hatch said. "With this schedule they were able to have three solid weekend performances in a row which has helped put this trophy asset on the map across the country with real estate professionals."

For the office market, Casey Mills, NAI office division vice president, said that compared to the first quarter in 2011, the first quarter of 2012 shows a significant drop in the vacancy rate in Salt Lake County from 15.37 to 13.78 percent. "We're finally starting to hear companies in our market talk about expansion and actually pull the trigger on taking additional space," Mills said. "There has been an increase in expansion deals during the last 12 months and I think that will continue."

Although the average asking rates for office space have dropped, despite the fall in the vacancy rate, Mills indicates lease rates will likely increase during the next 12 months. He also added new building construction could slightly increase the vacancy rate but "hopefully, construction of new product will have a minimal impact on the vacancy rates given the current velocity of the market."

For the industrial market in  
*see NAI page 2*

## International websites face threat of being 'lost in translation'

**By Brice Wallace**  
*The Enterprise*

The movie "Lost in Translation" debuted in 2003, but the concept lives on.

Companies wanting international websites face many hurdles in trying to communicate their messages to audiences with different languages, cultures and interests, Adam Wooten, director of translation services at Lehi-based Lingotek, said last week at a Utah Technology Council clinic.

Wooten displayed to the audience examples of non-website translation troubles, such as signs in overseas countries that proclaim, "English well talking" or "Here speaking American."

"There are certain times we have seen signs around the world that may attempt to communicate one thing but ends up communicating the complete opposite. ... Sometimes it's a little tough when

you don't speak the language and you don't know if something is really fulfilling its intended purpose," he said.

Attempts to cater to foreign-language speakers in the U.S. sometimes fail. He showed the packaging for a folding aluminum table, with the English description being clear and detailed, followed by "Spanish here. Spanish here. Spanish here."

"Sometimes it happens when it seems like it should be really obvious. These errors, these blunders, should be painfully obvious. ... These may seem like very obvious blunders, but unfortunately a lot of very similar blunders are committed online all the time," Wooten said.

Companies with an online presence have many options to eliminate those blunders, but Wooten acknowledged that each

*see TRANSLATION page 2*

## Popeyes restaurant chain to 'aggressively' enter Utah market



The only Popeyes now open in Utah is at Hill Air Force Base. The company is vowing to change that.

Popeyes Louisiana Kitchen, an Atlanta-based chain of New Orleans-style quick-serve chicken restaurants with 2,035 operating restaurants in the United States, Guam, Puerto Rico, the Cayman Islands and 25 foreign countries, is preparing to enter the Utah market.

The firm, which says its dollar share of chicken quick-serve restaurant sales is at a 10-year high domestically, is seeking multi-unit operators to invest in new restaurants in the greater Salt Lake City market.

For those interested in fran-

chising, Popeyes is seeking candidates that meet a specific franchisee profile to help build its brand and business. Among other things, franchisees should possess a minimum net worth of \$500,000 and liquid assets of at least \$250,000. Candidates should also have five years of proven expertise in owning and operating restaurants.

"For 40 years, Popeyes has passionately delivered its authentic Louisiana food to guests around the world, and after a remarkable 2011 with strong positive results, we are excited about the

*see POPEYES page 2*

## Injunction halts employee rights poster requirement

The U.S. Court of Appeals for the D.C. Circuit has granted an injunction in a legal challenge of the National Labor Relations Board's "Notification of Employee Rights" notice posting rule, about which *Enterprise* columnist Russell Lookadoo wrote last week.

Under the rule, employers would have been required to display a poster in their workplace that contained a "biased and incomplete list of employee rights under the National Labor Relations Act," according to Associated Builders & Contractors Inc., which led a Coalition for a Democratic Workplace challenge of the requirement.

As a result, the NLRB's "Notification of Employee Rights" notice posting rule's compliance date of April 30 is no longer in

effect. The injunction places the rule on hold until a decision is reached in the Coalition for a Democratic Workplace's appeal of the U.S. District Court for the District of Columbia's March 2 ruling, which found the NLRB has the authority to mandate the notice posting but not impose an up-front, blanket penalty policy for failure to post. The injunction will remain in place until a decision is issued in the CDW appeal, which likely will not be until November 2012 or later, according to ABC.

The U.S. Court of Appeals for the D.C. Circuit's decision follows a recent ruling by the U.S. District Court of South Carolina stating that the NLRB does not have the statutory authority to require business owners to post the notice.



## NAI

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Salt Lake County, average lease rates are on the rise with a significant increase of \$0.03 per square foot per month through the first quarter of 2012 compared to 2011, according to Jeff Heaton, NAI West vice president of industrial properties. Heaton believes the increase in rates is due to an uptick of activity in the smaller size range, less than 10,000 square feet, which typically have higher prices.

Another phenomena is a slowdown in the larger size range, 100,000 square feet plus. "We're seeing a lot of deals stall due to expectations of tenants, believing they should get massive reductions here in Salt Lake simply because they got them in other parts of the country," Heaton said. "Landlords are less willing to negotiate because activity has been slowly, but steadily, increasing for over a year."

In Weber and Davis counties, an increase in office leasing inquiries depicts an interest for businesses to relocate or open new office space. NAI vice president of office/land Chris Falk said company owners seem to be ready to "get off the sidelines" and become more readily involved in expanding their businesses. "Financing is not more readily available and we're not seeing much job creation," he said. "I just see it as more people are finally willing to get back in the game."

For these northern counties, the industrial market shows more investors are flowing into the Weber and Davis county mar-

kets, an increase not seen since 2009. Construction projects in the Syracuse and East Gate areas are receiving more attention and industrial rates show a slightly increased purchase price, up about 10 percent.

The Utah commercial real estate market tends to be seasonal, with more activity between April and November. Close to 100,000 square feet was taken off the market by owner/users in Weber and Davis counties, and that could push rates up a little higher if vacancy drops in the northern part of the state.

Overall, while the commercial real estate market is still depressed, small upward trends could bring a favorable year for construction, leases and sales.

### SME Steel names Searle new CEO

SME Steel, West Jordan, has named Wayne Searle CEO. He has served as the firm's president for the past four years and has been with the company for 18 years.

Craig Moyes, co-founder of SME, passed the mantle to Searle at SME's 20th anniversary celebration on April 20.

Moyes will remain on the SME board of directors and will continue as a director/advisor with involvement in strategic planning and international endeavors for the firm.

Searle will oversee the nearly 1,000 employees in West Jordan, Pocatello, Phoenix and Las Vegas. He has more than 34 years of experience in the structural steel construction industry.

## POPEYES

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opportunity to aggressively grow the brand in Utah," said Greg S. Vojnovic, vice president of development, Popeyes Louisiana Kitchen. "

In 2011, the Popeyes global system opened 140 new restaurants and total domestic same-store sales increased 3 percent compared to 2.6 percent in 2010. These increases were driven and supported by national and local media advertising promoting Popeyes famous Spicy and Mild Bonafide bone-in fried chicken alongside new Louisiana-style menu innovations including Wicked Chicken, which earned a MenuMasters award as the Best Limited Time Offer in QSR; Rip'n Chick'n, the Popeyes system's highest performing local promotion as of 2011; and Dip'n Chick'n, the system's highest performing boneless offering as of 2011.

Popeyes also serves seafood, including shrimp, crawfish and catfish. The company has received recognition throughout the franchise industry, including being ranked in *Nation's Restaurant News* "Top 100" franchise chains, Top 500," among others. The firm was founded in 1972 and is planning a May 2 meeting in Salt Lake City to meet with potential franchisees. For more information visit [www.ownapopeyes.com/SaltLakeCity](http://www.ownapopeyes.com/SaltLakeCity) or contact Sunny Ashman at (404) 459-4668.

## TRANSLATION

from page 1

iteration and each level of detail comes with a financial cost.

Often, just finding a particular language at a website can be a challenge. The buttons for links to different languages are often small, poorly placed or written in English rather than the script of a particular language. Wooten suggested a map or globe icon, using country names or languages in the native scripts or even an entire start page that offers users the language or country options.

Something as basic as a hard-to-find language button can lose many potential customers. Wooten said that about a year ago, he spoke to a company owner with a website that contained a Japanese language selector, but it was hidden at the bottom of the page.

"He said, 'Well, you know, no one's ever complained about this.' One of his employees spoke up and said, 'Well, of course they haven't complained about it. They're not going to take the time to complain, especially if they can't figure out where in the world to click or communicate with us. They're just going to click away and go find a competitor.' So, yeah, you might not hear any complaints about how you're going elsewhere," Wooten said.

Among other potential trouble spots are:

- Expecting users to change their browser language settings. Instead, users expect their website preferences to be recorded and remembered, he said.
- Having URLs written in English rather than native languages.
- Using sports analogies or other terminology that simply would have no meaning to international customers.
- Having product names that do not translate well in other languages. Some people overseas wash their clothes in a laundry

detergent named Barf — "barf" means "snow" in Farsi. Wooten said a Japanese software company years ago released a product that translated to "Pee Pee Phone." The search engine Bing avoided trouble in China, where "bing" means "disease" or "crazy," by adding a syllable to its name.

- Using symbols or images that have different meanings in other countries. Examples include hand gestures, with the "OK" and "thumbs up" gestures being among the most obvious. But use of photos or images of animals also can be troublesome because of their symbolic or religious significance elsewhere.

- Using certain colors. For example, Wooten said, red connotes "joy" in some countries but "mourning" in others.

## Fleet service company to expand to Lindon site

Fleet Services of Utah was scheduled to have made an expansion move over the weekend from Orem to a new location at 1546-1548 W. 200 S. in Lindon that will more than double the company's footprint.

"We've been showing steady increases for a couple of years now and have pretty much outgrown our present facility. And we found the perfect spot for us," said owner Frank Brennan. "This will give us a lot more exposure because we're going to be on a road that gets a lot of traffic."

Founded roughly 16 years ago, Fleet Services services trucks, trailers, RVs and cars — "everything from a big-rig to a forklift," Brennan said. "But the majority of our business comes from mid-sized trucks."


While the Orem location consisted of a 5,100 square foot building on a small lot, the new Lindon location offers 11,250 square feet on 1.3 acres, he said.

It is likely that a full-time staff of three will be augmented.

Brennan credited his technicians for the success of the firm, which he has owned for nine years.

"They get them repaired right the first time and word of mouth carries it from there," he said.

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## Rock crushing firm seeks to double size of Utah operation



Machines created by Goodfellows Corp. are used by companies such as heavy highway contractors and mining firms.

Goodfellow Corp., a Las Vegas-based firm that fabricates, leases and sells rock crushing equipment that is used in large part by heavy highway contractors and mining companies, is planning an expansion of its Lindon facility.

While not all entitlements have yet been received, the city has looked favorably upon a conceptual plan to double the size of an approximately 16,000 square foot building on the firm's 10-acre lot at 390 N. 2000 W., said general manager Rich Hansen.

He said he wants to turn half of the existing building into a parts warehouse and to devote the space in the addition to more shop space and fabrication, with two overhead cranes.

"With the construction going on we've been fortunate," he said.

"We do a lot of freeway work and we have a lot of work in the mines in Nevada that are booming, with precious metals up high."

Hansen said Goodfellow has about 25 full-time and three part-time employees at its Lindon location. That number should rise by eight to 10 if the expansion goes forward. He said he is hopeful that the city will approve his final plans, as the conceptual plan met with a warm welcome.

"The new zoning says no steel buildings but they told me they'll either change the code or give me a variance because they want me to stay," he said.

Founded in 1960 and still family-owned, Goodfellow Corp. has an additional office in San Bernadino. The Lindon operation was opened in 1997.

## Houston-based Mexican eatery chain opens location in Draper

Houston-based Los Cucos Mexican Cafe was slated to enter the Utah market last Friday with an approximately 6,700 square foot location at 10585 S. State St., Draper.

Sergio Cabrera, who founded the chain with his brother Manuel in 1991, said the Draper location will seat 240 people and will be open for lunch and dinner seven days a week.

All of the firm's approximately 25 current locations are located in Texas. Cabrera said he opted to open a Utah eatery to see how the concept would be received outside the Lone Star State.

"We expect this is a good

market for us," he said.

Dinner menu items are priced at approximately \$8 to \$15 for entrees. Offerings include stuffed jalapenos, stuffed avacados, ceviche, enchiladas, quesadillas, chalupas, flautas, chimichangas, burritos, carnes asada, carnitos, fajitas and sopapillas.

The company leased its Draper location with the assistance of Dell Nichols and Rick Horgan of Commerce Real Estate Solutions.

## Lagoon spends 'millions' annually on safety

By Brice Wallace

The Enterprise

Chances are, you've been there. Chances are, you thought you were in peril. Chances are, you weren't.

That scenario has been repeated daily during Utah summers as visitors flocked to Lagoon to enjoy shows, munched on cotton candy and nervously plopped onto a ride that looked and sounded less than safe. That element of fear is designed, according to Dick Andrew, the Farmington amusement park's vice president of marketing.

"We sell the illusion of excitement and danger," Andrew said during a presentation last week to the Rotary Club of Salt Lake. "We get on that old wooden roller coaster and it's shaking a little bit and you're going around and you're offering a special thanks when the ride is over that you survived it. The fact of the matter is, that is the nature of wooden roller coasters that, incidentally, are becoming more popular again. They are designed to shake around a little bit, to be not as smooth as a steel coaster is. The technology on that ride is as current as if the whole thing was built last year."

Andrew said Lagoon spends "millions and millions of dollars" annually on safety. During winter, rides are disassembled, tested and repaired. Each day during the summer, several safety crews spread across the park with a long list of safety items to check. After they're finished, representatives of the park's rides division conduct two more safety checks.

"That is very, very important

for us," Andrew said of safety. "If it wasn't, we simply would be out of business. It's just that simple. There's just not much room for error in that, so that's a big part of what we do."

One case in point surfaced during a question-and-answer session after his main remarks. One audience member said she had loved the park's Fun House, which was closed years ago.

"What made us decide to take out the Fun House? All of the fun elements of the Fun House were dangerous," Andrew said. "We'd track that sort of thing, and by the time you started eliminating some of those, you're left with a name-only Fun House."

Safety is the top consideration when the park selects a new ride to build, he said. After that are its expected appeal, its cost and its capacity — preferably a ride can take on 8,000 to 9,000 people per hour.

This year, the park has added "Air Race," which features airplane cars slinging and looping riders up and down and around and around. At \$2.5 million, "It's not a very expensive ride, relatively speaking," Andrew told the crowd, noting that the Wicked roller coaster cost \$14 million. "It's fun to look at and it's a thriller. ... In the industry, we refer to this ride as a 'chunk' ride. I'll let you think about that."

With 150 year-round employees and nearly 2,500 workers during the season peak, Lagoon is expecting about 1.4 million visitors this year. Last year, it had more than 1.3 million, "which is pretty amazing in a market this

size," he said. "About 17 or 18 percent of those people are actually from out of state and a lot of those people come from southern Idaho and surrounding states.

"We expect to have a better attendance this year. Like most every other business, three years ago, it got kind of tough. We suffered attendance-wise. The year after that, it was better. And last year, it was better still — considerably better, in fact. And this year, I have the feeling that things are going to be better still. I hope you have that sense in the businesses you're involved in. I don't think any of us are naive enough to think that we're out of the woods. I'm just wondering if people kind of get used to some things after a while, and at some point, they say, 'Well, regardless, we're going to have a little fun.'"

That fun has been going on at Lagoon ever since it opened in 1886 as a resort named Lake Park, three miles closer to the Great Salt Lake than its current location. Closed during World War II, Lagoon reopened in 1945 and has been entertaining folks ever since.

"Lagoon occupies a very interesting position in the state of Utah and probably the Mountain West," Andrew said. "Virtually everybody who has lived and grown up in Utah, Lagoon is part of their memory bank. They went to Lagoon when they were kids. Their parents were going before that. They're going with their children and grandchildren. And that's a very good thing."

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## • Industry Briefs •

### ARTS/ ENTERTAINMENT

• The **Redstone Art Fair** will return to Park City July 21-22 from 10 a.m. to 5 p.m. The event will take place at 1678 Redstone Center Dr. and will be free and open to the public. Works from 100 Utah and Colorado artists will be on display, ranging from \$25 hand-designed earrings to \$30,000 metal sculptures. More information can be found at [www.artfestival.com](http://www.artfestival.com).

• **RedSeat Entertainment**, Salt Lake City, has launched **Tremor FX**, a new theater seat technology that incorporates vibration into movies and other

entertainment. The company unveiled the proprietary, patent-pending technology at the 2012 CinemaCon April 23-26 in Las Vegas. RedSeat has teamed up with Seating Concepts, San Diego, to build and distribute the Tremor FX seats, which vibrate and pulsate in response to a film's individual soundtrack through a series of actuators built within each seat. The vibrations occur in tandem with the action in the film. Tremor FX chairs are the same size as standard theater chairs. The control box for an entire theater of seats is smaller than a desktop computer tower. The seats are easy to integrate with any theater

### Utah added 27,400 jobs in a year; gains are among diverse industries

Utah's nonfarm wage and salaried job count for March expanded by 2.3 percent compared against the employment level for March 2011. This is a 12-month increase of 27,400 jobs, and raises total wage and salary employment to 1,218,100. The seasonally-adjusted unemployment rate registers 5.8 percent. Approximately 78,150 Utahns are considered to be unemployed. The current United States unemployment rate, as compared to last month, fell one-tenth of a percentage-point to 8.2 percent.

Most of Utah's industrial sectors have added jobs over the past 12 months, with the exception being the leisure and hospitality sector. The employment gains are diverse and fairly evenly distributed among the various industrial sectors, and that is a strong point in the current economic profile, according to the Utah Department of Workforce Services.

The industry in front of Utah's economic recovery is professional and business services. Approximately 5,600 new positions have been added over the past 12 months. Nearly all are coming in the high-paying professional and technical industries such as legal services, computer systems design, consulting and market research.

Manufacturing jobs are estimated to have grown by 5,200 positions over the past 12 months. Education and health care remain as stalwarts in the economic employment picture. The sector has grown by 4,000 positions over the past 12 months. These gains are equally split between private education (public education is grouped in government) and the health care industry. The demand for both of these industries' products is driven by the size of the local population, its growth and developing changes in the demo-

graphic structure.

The trade and transportation sector measured employment gains of around 3,800 over the past year. Most of these are on the trade side, with a nearly equal distribution between wholesale trade and retail trade.

One of the industries hit hard by the economic downturn was financial activities. Although its employment level is still below its pre-recession peak — as are most of Utah's industrial sectors — this industry is finally seeing a rebound in employment activity. Approximately 2,900 jobs have re-emerged in this sector over the past 12 months, according to the DWS report.

Approximately 2,800 more construction jobs were observed in March than were there 12 months ago, and this without any notable contribution yet from the home-building market.

The natural resource industry has grown by 900 positions over the past year, largely due to natural gas and oil activities in the Uintah Basin of eastern Utah.

Estimates are that the leisure and hospitality industry is seeing 800 fewer jobs statewide now than were recorded at this time last year.

While Utah's employment continues to grow at one of the better paces of any state in the nation, the growth is still below Utah's long-term yearly average of 3.1 percent and signals that the economy is not yet firing on all cylinders. Utah's flow of employment growth reveals that employment expansion appears to be hitting a short-term ceiling. Following a pattern of increasing employment gains spanning 18 months from the recession's bottom, the past four months have seen the growth rate top out and hold in the mid two-percent range.

configuration with a low voltage wire and a communication cable. RedSeat is wholly owned subsidiary of Endeavor Capital, Salt Lake City. Endeavor Capital is an investment group created by Joseph Sorenson in 2008.

### BANKING

• **Mountain America Credit Union**, West Jordan, was recently honored with **six awards from the Credit Union National Association (CUNA)** that recognize outstanding marketing and business development achievements in the credit union industry. The awards were presented by CUNA's Marketing and Business Development Council, a national network comprised of nearly 1,000 credit union marketing and business development professionals. Awards were given in each of 33 categories ranging from advertising to community events and beyond. Mountain America received three Diamond Awards for e-mail, print ad and radio ad campaigns. Its three Categories Best Awards came in the areas of TV series, direct mail series and complete campaign categories.

• **TAB Bank**, Ogden, continues to expand its Equipment Leasing Division to provide capital equipment financing solutions to companies throughout the United States. The bank has hired **Bill Griffith** as commercial equipment leasing manager and **Mike Richardson** as director of third party originations. Griffith will be based in Chicago and Richardson will work out of TAB's national headquarters in Ogden. Griffith has been in the equipment leasing and finance industry for more than 20 years, most recently as credit and operations manager for Padco Lease Corp. Richardson joined TAB Bank in 2006 and has worked within the bank in various capacities, including business development, project development, product development, account management, fraud management and risk analysis.

### COMPUTERS/ SOFTWARE

• **LANDesk Software**, a South Jordan-based leader in systems lifecycle management, endpoint security and IT service management, has **acquired Managed Planet**, an Irving, Texas-based firm that has developed technologies in the areas of IT asset management, business-to-business-connectors, hardware discovery, reporting and asset analytics. LANDesk previously licensed this technology as part of its LANDesk Data Analytics

product. The acquisition is the fifth since LANDesk spun out of Intel in 2002 and the first for LANDesk since again becoming a stand-alone business in September of 2010.

• **Standard Works LLC**, Highland, a creator of apps and services for the Mormon market, has released a new **tablet-optimized version of the LDS Scriptures app** for Android called LDS Scriptures for Tablets. It is billed as the most comprehensive and advanced scriptures app for any device. Tablet owners can view two documents simultaneously using the firm's exclusive dual-pane technology and have access to real tabs for easily switching between multiple documents within each pane. LDS Scriptures for Tablets contains all of the features normally found in phone-based versions of the LDS Scriptures app by StandardWorks.com, but now tablet owners can also enjoy features that were previously only available on the Apple iPad platform.

### CONSTRUCTION

• **IMS Masonry**, Lindon, recently reached **more than one million hours without a single lost time injury**. In an industry that by nature is prone to injuries,

*continued on next page*

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PUBLISHED NOTICE OF HEARING AND NOTICE TO PARENT OF RIGHTS AND PROCEDURES PURSUANT TO WELFARE AND INSTITUTIONS CODE SECTIONS 294 and 366.26

1. YOU ARE HEREBY NOTIFIED THAT on May 29, 2012, at 8:30 a.m. in Department 134 of the Sacramento County Juvenile Court, Superior Court of California, located at 3341 Power Inn Road, Sacramento, CA 95826, a hearing will take place pursuant to Welfare and Institutions Code, Section 366.26, to either terminate your parental rights or to establish a guardianship for your child or to place your child in long-term foster care.

2. You are further notified that the Sacramento County Department of Health and Human Services, Petitioner, will recommend the following action: termination of parental rights permanently and a court order that the above-named minor be placed for adoption.

3. You have the right to personally appear in court and be heard in this matter.

4. On the above date the Court will determine the best permanent plan for your child. Evidence will be presented. After hearing the evidence presented by the parties, the Court will make one of the following orders:

a. Terminate your parental rights permanently and order that the child be placed for adoption;  
b. Without permanently terminating your parental rights, identify adoption as the permanent placement goal and order that efforts be made to locate an appropriate adoptive family for your child for a period not to exceed 60 days;

c. Without permanently terminating your parental rights appoint a legal guardian for your child and issue letters of guardianship; or,  
d. Order that your child be placed in long-term foster care, subject to the regular review of the Juvenile Court.

5. You may have the right to have an attorney represent you at the hearing. If you cannot afford an attorney, the Court will appoint an attorney for you, unless you knowingly and willingly waive your right to representation by an attorney. You have the right to present evidence at the hearing.

6. You have the right to request a trial on the issue of what permanent plan is best for your child. You have the right to present evidence. You have the right to use the Court's power to compel the attendance of witnesses to testify on your behalf. You have the right to confront and cross-examine any adverse witnesses. You have the right to confront and cross-examine the preparers of any reports submitted to the Court by the Sacramento County Department of Health and Human Services, Petitioner. You have the right to assert the privilege against self-incrimination.

7. Any order of the Court permanently terminating your parental rights shall be final and you shall have no legal rights to the care, control or custody of the child.

8. Ten (10) days prior to the hearing, the Sacramento County of Sacramento Department of Health and Human Services will prepare an assessment report containing its recommendation in this matter. You have the right to read the report and obtain a copy of the report. You should immediately contact the social worker assigned to your child dependency case or your attorney if you have any questions or if you would like to read and obtain a copy of the report.

9. If you fail to appear at the hearing, the Court will proceed in your absence to adopt one of the above-mentioned permanent plans. Such proceedings may include the termination of your parental rights so that your child may be placed for adoption. If you have any questions regarding this procedure, please contact the specified below or an attorney.

DATE: March 29, 2012

ANN EDWARDS ,  
DIRECTOR DHHS  
by , Hans A. Gregerson Paralegal  
Department of Health and Human Services  
Paralegal Services  
(916) 875-4136

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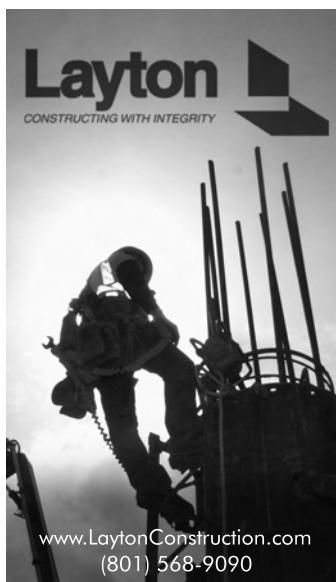
ENTERPRISE  
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it has taken IMS four years of commitment to safety to reach the milestone. Recent notable projects include the City Creek development in downtown Salt Lake City, Pope Science Center at Utah Valley University in Orem and Rio Tinto stadium in Sandy.

- **Bradley Baker** of **Steel Encounters Inc.**, Salt Lake City, has earned his **LEED Green Associate accreditation** through the Green Building Certification Institute. He graduated from Michigan State University with a B.S. in building construction management in 1988 and today manages critical projects for Steel Encounters, including the recently completed Sorenson Molecular Biotechnology Building, LEED, at the University of Utah.

- The Woods Cross location of **Bragg Crane Service** recently **lifted and set a 180,000-pound digester lid** for the Salt Lake City Water Treatment Facility. Using a Liebherr LR1280 in heavy-lift,



Bragg picked up the 96-foot-diameter lid, “walked” it 100 yards and set it on its current resting spot. The process took two hours; the crane’s walking radius is 80 feet and the radius upon which the lid was set was 90 feet. Gerber Construction Inc. was general contractor on the project.

#### ENVIRONMENT

- The **University of Utah** ranks third in the nation among colleges and universities participating in the **U.S. Environmental Protection Agency’s Green Power Challenge**. The school earned the ranking by increasing green power use by 15 percent in 2011 and purchasing more than 98 million kilowatt hours (kWh) of green power, 36 percent of the university’s total power use.

- **Orbit Irrigation**, North Salt Lake, has kicked off its summer **“Protect Your Home Turf”** campaign, a water conservation campaign encouraging the community to commit to conserving water by implementing three steps — correctly starting sprinkler systems, setting a sprinkler timer schedule and adjusting watering frequency. Orbit Irrigation plans to save up to one billion gallons of water this year. There is also a contest between BYU, USU, and the U of U to see who can save the most water. For more information visit [http://www.youtube.com/watch?v=k5\\_MJi3iBYs&feature=youtu.be](http://www.youtube.com/watch?v=k5_MJi3iBYs&feature=youtu.be).

- **Westminster College**, Salt Lake City, **unveiled its third**

**installed solar photovoltaic (PV) system** on April 18. Westminster joined with Rocky Mountain Power’s Blue Sky Funding Program to install this system, which sits atop the roof of the Emma Eccles Jones Conservatory Building sized at 20kW. The solar PV system was designed by Spectrum Engineers and VCBO Architecture, with design support from Hunt Electric’s in-house professional engineer and NABCEP (North American Board of Certified Energy Practitioners) certified solar photovoltaic installer. The panel installations were also performed by Hunt Electric. The PV system consists of 100 Solyndra solar modules at 200 watts each.

- The first hospital in Utah to embrace a recycling system for foam cups, **Salt Lake Regional Medical Center** has teamed up with **Dart Container Corp.** and its CARE (Cups Are REcyclable) **program to recycle foam cups** imprinted with the number 6, or Styrofoam. The effort is designed to divert over 170,000 pieces of foam from area landfills each year. The fully integrated foam #6 recycling system will launch on May 1. Sixteen collection devices will be placed throughout the hospital, and educational and instructional materials will be made available to hospital staff and patients.

#### FINANCE

- **D.A. Davidson & Co.’s Sam Orme**, a director in the firm’s Salt Lake City investment banking office, was recently named

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2. **FREE DIRECTORY LISTING:** Every Local First business receives a free listing on our on-line directory at [LocalFirst.org](http://LocalFirst.org). This directory provides a convenient resource for customers and businesses to locate locally owned businesses to patronize.
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).

an *M&A Advisor* "40 Under 40" winner. The award reflects the accomplishments and expertise of 40 leading mergers and acquisitions, financing and turnaround professionals in the western region of the United States. Each recipient is chosen by a group of their peers. Orme has extensive experience working on a variety of investment banking transactions, including mergers and acquisitions, public offerings and private equity transactions. He has provided investment banking services for a broad range of public and privately held companies. During his career, he has advised companies on mergers and acquisitions totaling over \$4 billion in value.

**HEALTH CARE**

• **Dr. Rodney Schmelzer**, craniofacial surgeon, is now a partner at **Plastic Surgery Associates** in Salt Lake City. He returns from the Phoenix area to continue his highly-specialized pediatric care and surgical services in Salt Lake and serving the Provo, Ogden and Logan areas as well. Schmelzer's experience goes well beyond the basic pediatric plastic surgery, including cleft lip and palate, craniosynostosis, syndromes (Crouzon, Apert, Treacher-Collins and Pfeiffer), vascular malformations (hemangiomas, lymphangiomas), microtia, facial nerve injury, skull

and facial tumors (fibrous dysplasia) and skull and facial trauma.

• Ground was broken April 25 for the **MountainStar Lone Peak Hospital** at 11800 S. State St., Draper. The 30-bed, 113,287 square foot facility will bring much needed inpatient services to South Valley communities, especially in the areas of obstetric care and surgery services. Lone Peak Hospital is the second component of the phased-in construction plan for the Lone Peak Medical Campus. The initial phase featured the Lone Peak Emergency Center, which was the first satellite ER in Utah when its doors opened in May 2010.

• The **Gallup Organization** has chosen **Intermountain Healthcare** as one of 27 companies worldwide, and the only organization in Utah, to earn the **Gallup Great Workplace Award** for 2012. The Gallup Great Workplace Award is based on overall engagement levels and evidence of a highly-engaged workforce's impact on key business metrics. Gallup compares applicants' results across its research database composed of millions of work teams in more than 170 countries. The award acknowledges the best-performing workforces in the world and their ability to create an engaged culture.

• **Intermountain McKay-**

**Dee Hospital** Center, Ogden, was named one of the nation's **100 Top Hospitals** by Thomson Reuters, a leading provider of information and solutions to improve the cost and quality of health care. The Thomson Reuters 100 Top Hospitals study evaluates performance in 10 areas: mortality, medical complications, patient safety, average patient stay, expenses, profitability, patient satisfaction, adherence to clinical standards of care, post-discharge mortality and readmission rates for acute myocardial infarction (heart attack), heart failure and pneumonia. The study has been conducted annually since 1993. This is the second time that Intermountain McKay-Dee Hospital Center has been recognized.

• New York City-based **PhysioAge Medical Group**, a provider of bioidentical hormone therapy, has **opened an office** at 8899 S. 700 E. in Sandy that is led by Jeffrey Nelson, D.O. The Utah office offers many of the same services as the New York City office, including biomarkers of aging and body composition testing.


**LAW**

• The Salt Lake City-based law firm of **Parsons Behle & Latimer** has **added an employment law department** to its

Boise office. Attorneys joining the newly established department are J. Kevin West, Sarah H. Arnett and Dylan A. Eaton, all former attorneys with Farley Oberrecht Harwood & Burke in Boise.

**MEDIA/MARKETING**

• **Jakob Marketing Partners**, an advertising/promotion company in Holladay, won several awards in the **Ninth** *continued on next page*

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from previous page

**Annual Service Industry Advertising Awards** and the **29th Annual Healthcare Advertising Awards**. JMP designed creative materials for its client Lucky Dog Communications, winning three golds and one silver, and received Merit Recognition from the Healthcare Advertising Awards for a brochure designed for the Cottonwood Treatment Center.

#### REAL ESTATE

• Texas-based **Cobalt Capital Partners LP**, through its Cobalt Industrial REIT III affiliate, has **acquired a 13-building indus-**

**trial portfolio** totaling 890,452 square feet located in Commerce and Pioneer Business Parks within the California Avenue industrial submarket of Salt Lake City. The acquisition represents Cobalt's initial entrance into the Salt Lake City industrial market, which was described by the company as "very strong." Cobalt continues to look for additional investment opportunities in the Salt Lake City area.

#### RETAIL

• Utah-based **Harmons** grocery store chain presented a check for **\$222,653 to Special Olympics Utah** on April 24. Harmons conducted a number of fund-raising

activities in all of its 16 locations in March, including encouraging customer donations at check stands and allowing Special Olympics athletes to sell root beer floats on the weekends. Harmons also donated 5 percent of its frozen food net sales sold for the month. The 2012 effort topped 2011's event by \$20,000, a 10 percent increase.

#### SPORTS/RECREATION

• **Black Clover Golf Academy**, which bills itself as first indoor golf academy and practice facility in Utah, has **opened for business** at 12101 S. Factory Outlet Dr. in Draper.

It consists of 22,000 square feet and includes 13 holes and 2,200 square feet of putting greens in addition to a 17-stall driving range, chipping area bunker and a TruGolf simulator. The academy offers private, adult, couples and women's lessons as well as free youth programs through the Black Clover Junior Golf Foundation. Monthly passes range from \$43 for an individual to \$77 for a family of up to five.

#### TRADE SHOWS

• **Outdoor Retailer** and the **Outdoor Industry Association** are engaging the industry in a consultative and comprehensive

approach to determine the **best growth path and location for the future for the semi-annual outdoor trade shows**. The initiative is necessary as participation in the evolving outdoor industry event continues to grow beyond the current facilities available at the Salt Palace Convention Center in Salt Lake City, host city since 1996. The "Collective Voice" website provides a destination for learning about OR's history, information on the small list of venues that could host the trade show and hosts a forum for stakeholder discussions. Learn more at [www.outdoorretailer.com/collective-voice](http://www.outdoorretailer.com/collective-voice).

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## How have you progressed since the third grade?

“What I did on my summer vacation.”

Every one of you have given a speech or written a paragraph or essay about what you did on your summer vacation while you were in grade school.

You wrote about the lake, the mountains or the week at the beach. Or you gave a speech and your opening line was, “What I did on my summer vacation.” And you held your own hands and nervously performed in front of your peers.

You were worried about what they would think and you were nervous about performing in front of your classmates, but somehow you muddled through it. Your essay was returned with all kinds of red marks for punctuation, grammar and misspellings. For those of you who are pack rats, or have parents who are pack rats, you may still have the document.

Personal note: I have many of my daughters' early writings. All gems.

I'm giving you this reminder, this bit of nostalgic instant memory, so I can issue you the following challenges: How have you progressed since then?

How much better are your writing skills? How much better are your presentation skills? And how important are those skills to your sales success, your business success, your social media success and your career success?

I've been a professional writer and professional speaker for 20 years. But like you, I've been an amateur since the third grade when I talked about what I did on my summer vacation, and in the fourth grade when I wrote about Hurricane Hazel which rocked Atlantic City where my family was living at the time. (If you Google it, you can figure out how old I am!)

What most people don't understand is their initial training forms the foundation of their present skills. Your grammar, your ability to spell, your self-confidence to be able to speak and your overall character are formulated by your ability to communicate both orally and in writing.

Every one of you reading this is now thinking, *maybe I should have paid more attention* when my high school English teacher was drilling the difference between there, their and they're, or the difference between your and you're.

Think about the e-mails you receive with the subject line that says: “Your in Luck!” The person who wrote it is immediately perceived as an idiot and the e-mail is discarded as both disingenuous and poorly prepared.

Maybe I'm prejudiced, but I don't want to do business with someone who can't correct his or her own work in the simplest subject line of an e-mail.

The reason I'm harping on speaking and writing is because they are the foundation of the two most important elements of your success: image and reputation.

Everyone wants to have a great image.

Everyone wants to have a great reputation.

The good news is: You can influence both your image and your reputation with your consistent performance.

I'll ask my audiences, “How many of you would be nervous speaking in front of a group of 300 people?” Almost everyone

raises his or her hand. The real answer is, they are not nervous, they are not uncomfortable — those are symptoms. The real issue is they are unprepared. They lack the experience, the subject matter expertise or suffer from limited self-image or low self-esteem — or perhaps all four.

This is further complicated by the fact that most of you reading this know what show is on television on Wednesday night at 9 o'clock, and you're glued to the set to witness the next episode of “other people's drama.”



Jeffrey Gitomer

You make a conscience choice to watch something rather than to learn something or do something.

Perhaps if you took a Dale Carnegie course on public speaking, or joined a Toastmasters group, you would be able to become a confident presenter.

Perhaps if you started your own blog, and at the age of 30 or 40, you write about what you did on

your summer vacation, you might be able to attract people with similar likes and values as they search the Internet, same as you.

Please do not confuse this column as a call to action. Rather, it is a call to reality.

**REALITY:** Your writing skills and your speaking skills need to be at a higher level of competence if you are looking to elevate your income to a higher level.

**REALITY:** Your reputation is the sum total of your words and deeds — a large portion of which can come from writing and speaking.

**REALITY:** Your customer is more likely to buy your message if they buy into your passion.

**REALITY:** You can gain an amazing business social media presence if you combine your ability to write and your ability to convey a value message to your customers.

Here's my recommendation to you:

1. **Write a 500-word blog post once a week.** Write about something you love. Write about something that may impact your customers. Write about something you have an expertise in.

2. **Speak in public once a week.** A civil organization will be happy to have you as their breakfast or lunch presenter. Speak about something you love, speak on something others will value, speak on something in which you are an expert.

3. **You will not reap immediate rewards. But slowly, over time, your image and reputation will emerge.** That's a reward that has nothing to do with commissions or earnings, but it has everything to do with the feeling of fulfillment. That's a feeling I hope you get to experience.

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](http://www.gitomer.com), will lead you to more information about training and seminars, or e-mail him personally at [salesman@gitomer.com](mailto:salesman@gitomer.com).

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## How much retirement income will you really need?

What is enough? What is not enough? If you're considering retiring in the near future, you've probably heard or read that you need about 70 percent of your end salary to live comfortably in retirement. This estimate is frequently repeated, but that doesn't mean it's true for everyone; it might not be true for you.

You won't learn how much retirement income you'll need by reading this article. You'll want to meet with a qualified investor coach who can help you plan to estimate your lifestyle needs and short-term and long-term expenses.

With that in mind, there are some factors which affect retirement income needs; too often, they go unconsidered.

**Health.** Most of us will face a major health problem at some point in our lives, perhaps even multiple or chronic health problems. We don't want to think about that reality. But if you're a new retiree, think for a moment about the costs of prescription medicines, and recurring treatment for chronic ailments. These minor and major costs can really take a bite out of retirement income, even with a great health care plan.

While generics have demonstrably slowed the advance of prescription drug costs in the past, one estimate found that 65-year-old couple who retired in 2011 would pay \$230,000 for health care costs, excluding insurance and Medicare, as well as the costs for nursing home care.

**Heredity.** If you come from a family where people frequently live into their 80s and 90s, you may live as long or longer. Imagine retiring at 55 and living to 95 or 100. You would need 40 to 45 years of steady retirement income.

**Portfolio.** Many people retire with investment portfolios they haven't reviewed in years, with asset allocations that may no longer be appropriate. New retirees sometimes carry too much risk in their portfolios, with the result being that the retirement income from their invest-

ments fluctuates wildly with the vagaries of the market. Other retirees are super-conservative investors: their portfolios are so risk-averse that they can't earn enough to keep up with even moderate inflation, and over time, they find they have less and less purchasing power.

**Spending habits.** Do you spend only 70 percent of your salary? Probably not. If you're like many Americans, you may spend as much as 90 to 95 percent of it. Will your spending habits change drastically once you retire?

Again, probably not. Most people only change spending habits in response to economic necessity or in pursuit of new financial goals. People don't want to “live on less” once they have had “more.”

**Social Security (or lack thereof).** Will Social Security even exist by the time you've retired? A study from the Government Accounting Office brings this into sharp focus, stating that the long-lived program may start

to run out of money by 2036 and may be broke by the end of that decade. Furthermore, the GAO suggests a 20 percent cut in benefits, due to increased longevity and lower employment. Even if SSI is still a going concern in 2040, it may be very slim pickings.

So will you have enough? When it comes to retirement income, a casual assumption may prove to be woefully inaccurate. Meet with a qualified financial advisor while you are still working to discuss these factors and estimate how much you will really need.



Mark Lund

Mark Lund is a portfolio management specialist, investor coach, speaker and author of *The Effective Investor*. To get a free report titled “Eight Myths Killing Portfolio Performance” go to [www.StonecreekWealthAdvisors.com](http://www.StonecreekWealthAdvisors.com). Lund offers investment management services through Stonecreek Wealth Advisors Inc., an independent fee-only Registered Investment Advisor Firm in Utah. He can be reached at 11650 S. State St., Suite 360, Draper UT 84020, (801) 545-0696.



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## Web design knowhow

Your website is your business personality — online. When your doors are closed (or if you don't have a storefront), your website is often your first (and sometimes only) entryway for your clients or customers to find out who you are. Just like you would take care of your paint job, your office furniture and your curb appeal, taking care of your website and keeping it maintained is a key element to most people's businesses.

The best websites combine good content, attractive design and intuitive navigation to deliver the essentials to a Web user and to "convert" that Web user to take a specific action. That specific action depends on the nature of your business and what you offer.

There are lots of "do this" and "don't do that" on the Internet. Get a good Web designer who has a portfolio that demonstrates to you that they know how to advise you on the best and most current practices. And then make sure you know the following:

### Know Your Audience

Every conversation about a website design should start with a discussion about your audience.

Sometimes you need to address several audiences at once. Identify who that is and build your website around meeting the needs of that audience, both through your content and the tools you offer. Ask yourself if the demographic you serve needs any particular tools — maybe it needs additional accessibility with larger font size options or multilingual translations, or maybe it needs to speak to a specific generation. To know your audience, you must respect them and their time and refocus around what they need and expect from you.

### Know Your Brand

As a successful business, you have certain qualities that make your business compelling to clients and customers. Identify these qualities and figure out how you can translate that same appeal to your website. Also remember that you can have the flashiest website in the world but if it doesn't deliver the right content to your users or is hard to navigate or lacks focus, it really doesn't matter how pretty it is (and subsequently can hurt your brand). Conversely, you can have a really bland design that has really good written content but doesn't set a mood or personality for who you are as an organization or business. Be consistent between your customers' in-store or clients' in-person experience and their website experience.

### Know Your Content

Most of us, regardless of our type of business, rely on building confidence with people. Whether that is being able to provide a consistent dining experience or being able to provide sound legal advice, we as good business owners instill a sense of confidence in our customers and clients. On your website, this means communicating that you know your stuff and you are the expert in whatever skills or products that you are offering. Well-written content, especially sans typos or other gaffes, is essential. The good news is that usually "less is more," meaning that well-written brevity is your friend. As Web surfers, we spend on average less than a minute on most websites, which means that we scan (not read) content looking for information. Get to the point, use good headings, use bullet points where applicable and make your case for why your website visitor should trust you.

### Know the Data and Your Goals

Like most things in life, information is your friend. If you have a website, make sure you have some analytics (such as Google Analytics) and review those to know how many site visitors you have, where they are spending time on your site and where they are coming from. Use data to make adjustments on future renditions of your website. If areas that are essential to your business aren't getting any attention from your visitors, you either aren't stating your case or the case is buried in a place that doesn't compel them to take action. Beyond getting people to your website, determine what you need them to do once they arrive. Are you leading them through a product purchase process? Are you getting them to make a reservation? Are you getting them to complete your online inquiry form? Be sure that whatever you want them to do is obvious and easy to accomplish.

### Know the Obvious

I'm always surprised by how the obvious details can get overlooked. If you rely on people calling you, don't make it hard for them to find your phone number. If you have a storefront and specific hours of operation, make sure those are easy to find. Sometimes the only reason someone visits your website is to find out how to contact you. When presumably we all need at least one more client or customer, why would you make it hard? Further, be sure it's clear that you provide your services in Salt Lake City, Utah, or wherever you do them. Google searches these days rely on locational data and you shouldn't miss out to be found in your own community.

### Know Yourself

A lot of clients come to us saying they want to blog, manage a forum, get on Facebook, sell their wares online and do video. Maybe you have the time and resources to do all of this. Maybe you can fulfill all the promises you make to people on your website. But if you don't or can't, focus on a few targeted efforts and do them well. Be realistic about what you will update and manage, commit to it and do it.

### Know Your Strategy

Updating your website is great, but if you do that and don't use Facebook or Twitter or your e-newsletter to promote that new content, who will know about it? Websites, while essential to almost everyone's business marketing plan, are passive, and yet have the potential for the most audience. Social networking and e-mail marketing are more active, but comprise a smaller audience, albeit those who opt in are typically your core. Online tools still can't replace all of our traditional methods of advertising, nor can they replace the face-to-face experience that helps build confidence and word-of-mouth referrals. Find the right balance — or the sweet spot — for your outreach and opportunities for "touches" with your clients and customers.

Jocelyn Kearl is an active member of the Vest Pocket Coalition, an organization that works to strengthen Utah's independent entrepreneurial prosperity. For more information, visit [www.vestpocket.org](http://www.vestpocket.org). In addition, she is co-owner of Third Sun Productions, a Web design firm based in Salt Lake City serving nonprofit organizations and locally owned businesses throughout Utah.



Jocelyn Kearl

## Partnering for dollars

Why do we insist on doing things the hard, most expensive ways possible? Especially marketing. Most businesses have one or two approaches to getting people in the door.

The first is to do nothing and rely exclusively on word-of-mouth. That may be the hardest, most expensive way to market of all, since it almost NEVER produces enough new customers to keep the business afloat. It's great to get a referred customer, but sans a system to make it happen every day, several times a day, it's not likely to produce a thriving enterprise.

The second approach is almost as hard and almost as expensive. It's advertising. And when it comes to advertising, most businesses do it the most expensive, least effective ways possible — they use the mass media. Ugh! I can just feel the collective pockets emptying throughout the country. Here are the downsides to traditional advertising:

1. It's up-front, very expensive.
2. You almost always pay for circulation that you can't use.
3. There is no guarantee of results. You're paying for activity.
4. In all likelihood, you acquire clients at a loss.
5. Worse yet, you re-acquire existing customers at the same loss, as opposed to marketing directly to them and saving money while getting them back in more often.
6. You broadcast your best marketing ideas to your competition, allowing them to co-opt your best marketing schemes.
7. Today's media is so fragmented at this point, it's hard to assemble a sizable audience, or to know where that one already is.

In spite of all this, most businesses continue to use the mass media, simply because they don't know what else to do.

Of course, I have advocated the use of direct mail to go to your *existing client base* in this column before. And while that's a great way to bring loyal customers back, how do you bring new customers through the door? Here's another, business-revolutionizing idea:

Do a Guest/Host Joint Venture with another, non-competing business. A non-competing business that shares the same kind of clientele you have.

Marine dealers would be a good partner for a mobile electronics retailer, for example, and there are many others like them.

The boat dealer goes to the car audio guy and suggests that he'd be willing to send a letter to his customers recommending high-end audio outfitting for their boats, if the audio guy is willing to cut the boat dealer in for a piece of the revenues generated from the boat dealer's list.

This is a win/win/win for all parties. The marine dealer wins because he'll generate an additional income stream from past, current and future customers, while serving his customers at a higher level, which will engender more loyalty to him among those same customers.

The customers will also win, because they'll get top audio products and services

and also make take advantage of a very attractive deal.

And, of course, the car audio guy wins, because he'll get low-cost new customers and fly beneath the radar where his competition won't even know what hit them.

To execute the program, the boat dealer writes a letter to the past customers of his dealership, on *his* letterhead, over *his* signature. The letter should carry a very strong endorsement of the audio guy's products and services, along with a special offer that the dealer has "*specialty negotiated*" just for *his* customers. (This makes the boat dealer the "host" and the audio dealer the "guest" in this *Guest/Host Joint Venture*.)

This could be the beginning of a beautiful relationship! Imagine ... the audio guy could reciprocate, writing a letter to *his* customers, endorsing the boat dealer to them, along with an excellent offer designed to get audio guy's customer into boat guy's door. And *this time the audio guy* gets cut in on a piece of his action.

The letter approach is a good way to recapture past clients who never had audio installed in their boats, but what about current customers? Why not have the audio dealer put a kiosk or other kind of display in the boat store? He may even station a salesperson at the boat shop on weekends, for example, and build in a process where no boat buyer "escapes" the dealership without first discussing boat audio with the audio guy. (That would apply to old and new customers alike).

It's the ultimate no-lose scenario! And because it is, you should be figuring out how to make this strategy work in your business. Such arrangements can work anywhere, in any industry, to the benefit of all parties.

You'll have to use a little imagination and be willing to do some legwork in getting these kinds of programs set up, but they can be well worth it, because whether you're the guest or the host, the marketing is targeting customers where there is already a relationship, where the veil of sales resistance has already been pierced in the past, and will therefore be easier to pierce again.

A caution, though. It will take some salesmanship to convince most prospective JV partners to try this. They haven't been thinking out of the box this way. You'll need to spell out all the up-sides for them, just as I have, here in this column.

Is it worth it? Yes indeed!

Such arrangements can enable you to bring in substantial numbers of new customers at a fraction of the costs associated with traditional advertising.

Jim Ackerman is a Salt Lake City-based marketing speaker, marketing coach, author and ad writer. For his speaking services go to [www.marketingspeakerjimackerman.com](http://www.marketingspeakerjimackerman.com). Subscribe to his VLOGS at [www.YouTube.com/MarketingSpeakerJimA](http://www.YouTube.com/MarketingSpeakerJimA), where you get a video marketing tip of the day, and at [www.YouTube.com/GoodBadnUglyAds](http://www.YouTube.com/GoodBadnUglyAds), where Ackerman does a weekly ad critique and lets you do the same.

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Jim Ackerman

# English increasingly becoming an international language

Welcome to the global community in 2012!

English has increasingly become the international language of business. Within more and more nations, businesses are demanding their executives become fluent in English. Some ignore such a requirement at their own peril.

English learning courses are popular around the globe. While perhaps one quarter of the world's population can now converse to an extent in English, that share could rise to one-half by 2015 (businessreviewusa.com).

### Japanese English

A number of major Japanese companies have already mandated that English is, or soon will be, the primary language of internal communications. Rakuten Inc., Japan's largest online retailer, mandated a couple of years ago that English will be the "standard language" by early 2012. Major employers such as Nissan Motor, Sony, Fast Retailing, Sumida and Nippon Sheet Glass have imposed similar mandates (*The Wall Street Journal*).

Rakuten employees are now required to speak and correspond with each other in English. The risk of dismissal from the com-

pany if English is not mastered is clear.

While we might think of Japan, now the world's third largest economy behind China, as a manufacturing haven, roughly 70 percent of that nation's GDP is now in services. If you are aiming to be a player in the global marketplace, you must communicate in English (npr.com).

Ironically, it is fiercely independent Japan where English skills lag other nations. Among the 34 nations designated as "advanced economies" by the International Monetary Fund, Japan had the lowest scores during 2009 on the Test of English as a Foreign Language, a proficiency test given to foreign students who want to study within the U.S. (*The Wall Street Journal*).

### European English

I think this is amazing! Meetings within the European Union are routinely held in English; written documents the same. It is simply a reality that a much larger share of senior politicians within the European Community speak English as a second language rather than French, German, Italian, etc.

It has long held true that the

aspiration of thousands of gifted students around the world is to study and graduate from a major American university. The combination of gaining a degree in business or finance (even economics), or engineering, or chemistry, etc. from what most still consider the world's best, most up-to-date universities, combined with perfecting verbal and written skills in English, is a ticket to prosperity for those students who return home.

### Student English

As one might expect, many nations around the globe have required their youth to routinely study English in the primary grades for years. What might have once been seen as a way to expand

the horizon of younger people, such English language skills now provide people across Asia, across Europe, across South America, across Africa, across the Middle East, etc. with a vital tool to succeed in life in coming years.

Unfortunately, the rise of English places less need for Americans to study other languages than ever before. More schools do offer Chinese languages than before, but other language courses have been trimmed in many schools because of budget pressures. Some balance? I have granddaughters where half of their daily instruction in the classroom is in Spanish, the other half in English.

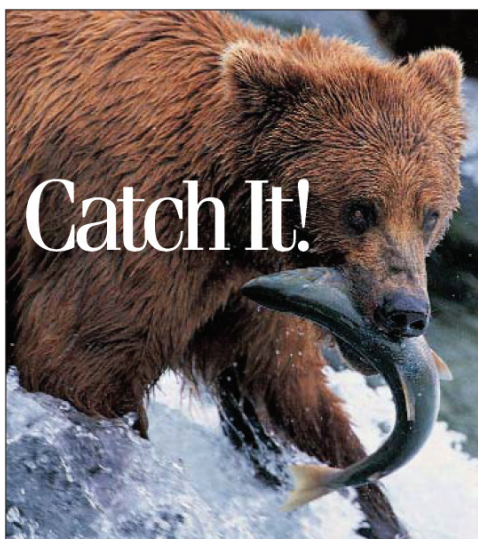
### All Too True

What do you call a person who speaks three languages? Multilingual. What do you call a person who speaks two languages? Bilingual. What do you call a person who speaks one language? An American.

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 *econ-America*, released by major publisher Wiley & Sons, and serves as economic consultant to Zions Bank.



Jeff Thredgold



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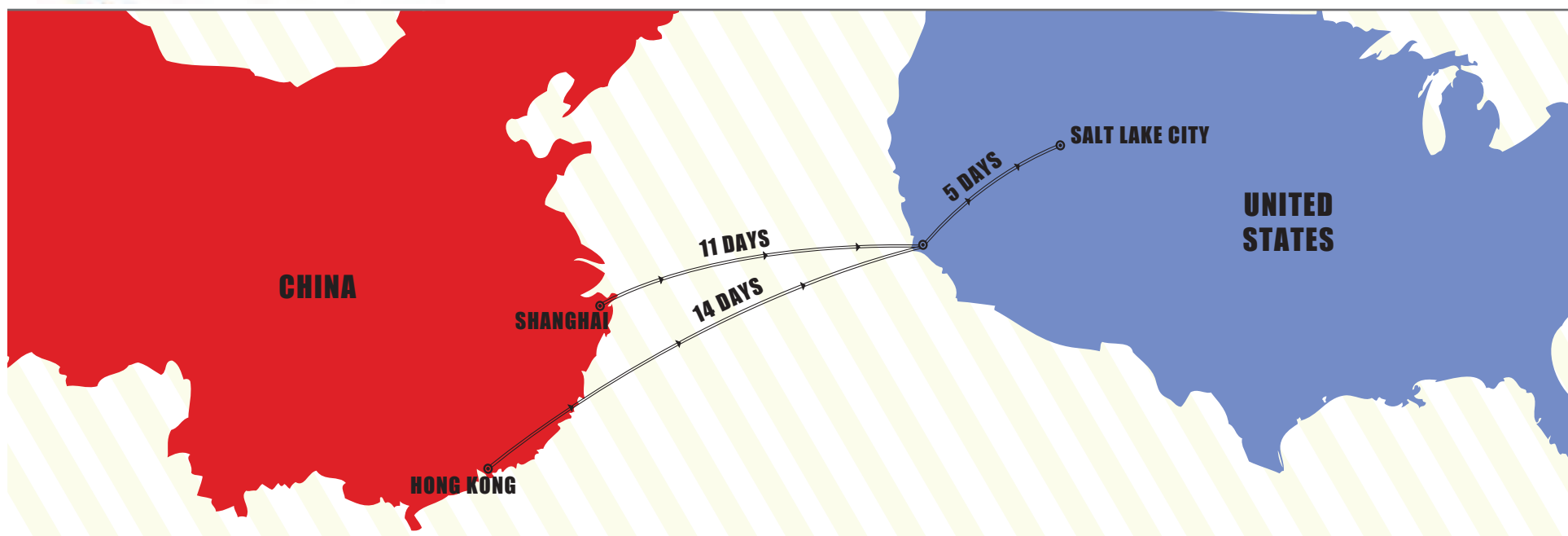
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## • Calendar •

• May 1, 11 a.m.-1 p.m.: **Utah Innovation Awards Luncheon**, presented by Stoel Rives LLP and Utah Technology Council. More than 300 representatives from Utah's technology, business and academic communities are expected to attend the Awards Luncheon to honor and recognize the finalists and winners in the categories of biotechnology, clean technology and energy, computer hardware/electrical devices, consumer products, consumer software and Web services, enterprise software and Web-enabled B2B solutions, mechanical systems/chemicals, manufacturing, and medical devices. Location is the Marriott City Center, 200 S. State St., Salt Lake City. Cost is \$50 for UTC members, \$70 for nonmembers. Register at [www.2012utahinnovationawards.eventbrite.com](http://www.2012utahinnovationawards.eventbrite.com).

• May 3: **Day-long conference for marketing and communications professionals**, presented by the Utah chapters of the Public Relations Society of America and International Association of Business Communicators. The conference will feature keynote addresses on social media by former NASA social media manager/current Raytheon social media manager Stephanie Schierholz and leadership by executive coach Alan Cohen. Other workshops will cover mobile apps, media pitch-

ing, The Great Shakeout campaign, Facebook apps and media coaching. Location is the Downtown Marriott, 75 S. West Temple, Salt Lake City. Cost varies. Register at [www.slccprsa.org/spring-conference](http://www.slccprsa.org/spring-conference).

• May 8, 8 a.m.-1 p.m.: **Parsons Behle & Latimer's 24th Annual Employment Law Seminar**. Breakout sessions will include classifying workers as independent contractors, social media in the workplace, immigration compliance, health care regulations, update on employment laws, protecting trade secrets, new legislation affecting employers, sex discrimination laws, issues with co-employment and creating a total rewards package for employees. Keynote speaker will be Spencer P. Eccles Jr., executive director of the Utah Governor's Office of Economic Development. Location is the Little America Hotel, 500 S. Main St., Salt Lake City. Cost is \$150, lunch and handbook included. Registration deadline is April 30. Register with Jeremy Jones at (801) 536-6626 or [jjones@parsonsbehle.com](mailto:jjones@parsonsbehle.com).

• May 8, 8:30-10 a.m.: **"Doing Business in West Africa, Spotlight on Three Markets: Ghana, Nigeria and Senegal,"** sponsored by the U.S. Commercial Service and the Salt Lake Community College Miller Global Business

Center. Heather Byrnes, senior commercial officer, U.S. & Foreign Commercial Service, based in the U.S. Embassy Accra, Ghana, will brief attendees on doing business in West Africa, with a detailed look at business trends and opportunities for Utah companies in Ghana, Nigeria and Senegal. Location is the SLCC Miller Campus, 9690 S. 300 W., Sandy, Miller Corporate Partnership Center, Room 333. Free, but RSVP is required by e-mailing [stan.rees@slcc.edu](mailto:stan.rees@slcc.edu) or by calling the Miller Global Business Center at (801) 957-5336. One-on-one appointments are available after the presentation. Please call (801) 957-5336 or email: [stan.rees@slcc.edu](mailto:stan.rees@slcc.edu) to schedule an appointment.

• May 9, 3:30-5:30 p.m.: **"How to Raise Money in Utah,"** presented by the Wayne Brown Institute. Venture professionals will discuss current market trends, the basics of the fund-raising process, finding the right investor and how to raise capital. Presenters will include an active angel investor, a serial entrepreneur, a lending expert, a securities and legal expert and a grants expert. Location is the Business Resource Center at Utah Valley University, 815 W. 1250 S., Orem. Free. Register at [www.venturecapital.org](http://www.venturecapital.org).

• May 15-17: **Ninth Annual Utah Tourism Conference**. Location is the Utah Valley

Convention Center, Provo. The conference is co-sponsored by the Utah Office of Tourism and the Utah Tourism Industry Coalition. Activities include sessions on domestic and international marketing, research trends, public relations, social media, a legislative update and other topics. Entries and nominations are being accepted for the Utah Tourism Hall of Fame Awards and the seventh annual Utah Tourism Marketing and Advertising Contest. Details on the Hall of Fame can be found at <http://travel.utah.gov>. The awards will be presented during the conference. The Marketing and Advertising Contest is accepting entries for the best-of-industry marketing, promotion and advertising efforts. The entry fee is \$25 for up to four entries in the categories of print, broadcast, web and special promotions. Details are at [http://travel.utah.gov/tourism\\_conference/2012UtahTourismConference.html](http://travel.utah.gov/tourism_conference/2012UtahTourismConference.html), or by contacting Rebecca Katz at the Utah Office of Tourism at [rkatz@utah.gov](mailto:rkatz@utah.gov). Individual conference registration is \$175. Two or more representatives from the same company can register for \$150 per person. Student registration is \$50. Details and registration are at [www.utahutourism.org](http://www.utahutourism.org), by calling UTIC at (801) 505-5266 or by contacting the Utah Office of Tourism at [www.travel.utah.gov](http://www.travel.utah.gov) or (801) 538-1900.

• May 23, 8:15 a.m.-1:30 p.m.: **Zions Bank 11th Annual Trade and Business Conference**. Keynote speaker will be Carly Fiorina, former chairman and CEO of Hewlett-Packard from 1999 to 2005. She will speak about global competitiveness and innovation. During her tenure at HP, Fiorina doubled revenues to \$88 billion and generated 11 patents a day, with significantly improved profitability and cash flow. Despite controversy and opposition, she successfully acquired and integrated Compaq Computer, in what is now seen as one of the most successful high-tech mergers in history. Fiorina is co-chair of the U.S. Leadership in Development at the Center for Strategic and International Studies as well as on the Leadership Council of the Initiative for Global Development. She is a founding supporter of the African Leadership Academy and a founder of the One Woman Initiative. She has also served on the Defense Business Board, as the chairman of the CIA's External Advisory Board and on the Advisory Group for Transformational Diplomacy for the Department of State. Location is the Downtown Marriott, 75 S. West Temple, Salt Lake City. Cost is \$35 and includes lunch. Register at [www.zionsbank.com/conference](http://www.zionsbank.com/conference).

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## What Mitt Romney seems to believe (and why he's so disliked)

With the Republican primary contest over and the general election under way, Mitt Romney faces a voting public whose disdain for him has reached levels that pollsters describe as “historic.” From his embittered opponents as well as from Romney and his campaign, Americans have learned that the former Massachusetts governor simply won’t uphold any political position, issue or achievement he thinks might cost him votes. He doesn’t seem to understand that his inconstancy forfeits more respect than any disagreeable opinion would.

No matter how carefully the former Massachusetts governor parses and prevaricates, many voters, including more than a few conservatives, evidently feel they’ve detected the inner Mitt: a man with utmost regard for himself and people like him — and a

profound disregard for people like most of them. They’ve observed him straining to express concern for the unemployed, the poor and the powerless, while sounding sincerely resentful whenever the privileged are held accountable. They’ve perceived an attitude of entitlement, whether he is withholding tax returns, defending tax breaks for billionaires or spending vast amounts to defame opponents. And they don’t like it, no matter what they may feel about Barack Obama.

Although a new Gallup poll shows Romney with a small lead matched against Obama — indicating how close this election may ultimately become — voters consistently appear to disapprove of the presumptive Republican nominee. As they have learned more about him over the past several years, his negative ratings have soared. Over the past five

years, since he began to run for president, the latest *Washington Post/ABC News* poll shows that negative views of Romney have roughly doubled, from about 24 percent to 47 percent, while his positive ratings have lagged (only 12 percent express “strongly” positive feelings about him).

More important, Romney polls 21 points behind President Obama in public approval — the worst rating for a likely presidential nominee in a *Post/ABC* poll since 1984. Indeed, he is the first to be “underwater,” with higher negative than positive ratings, in the last eight presidential elections.

Vulnerable groups seem to find Romney particularly unappealing and unsympathetic, as the *Post/ABC* cross-tabulations suggest. Among voters with annual household incomes lower than \$50,000, Obama leads by 29 points. Among the young, who

now tend to be in debt, without jobs or both, Obama leads by 36 points. Among married women, Obama is ahead by 20 points. But among unmarried women, his lead grows to 45 points.

Obama’s favorable score is 9 points higher than Romney’s among married adults — but this swells to a 37-point advantage among those who are not married. Romney and Obama are seen favorably by about equal numbers of married men, and Obama’s unfavorable score is higher in this group. But he jumps to a 20-point higher favorable rating than Romney among married women, 25 points among unmarried men and 45 points among unmarried women. Overall, Obama is seen not only as more likable and friendly but as more understanding of the economic conditions faced by most Americans.

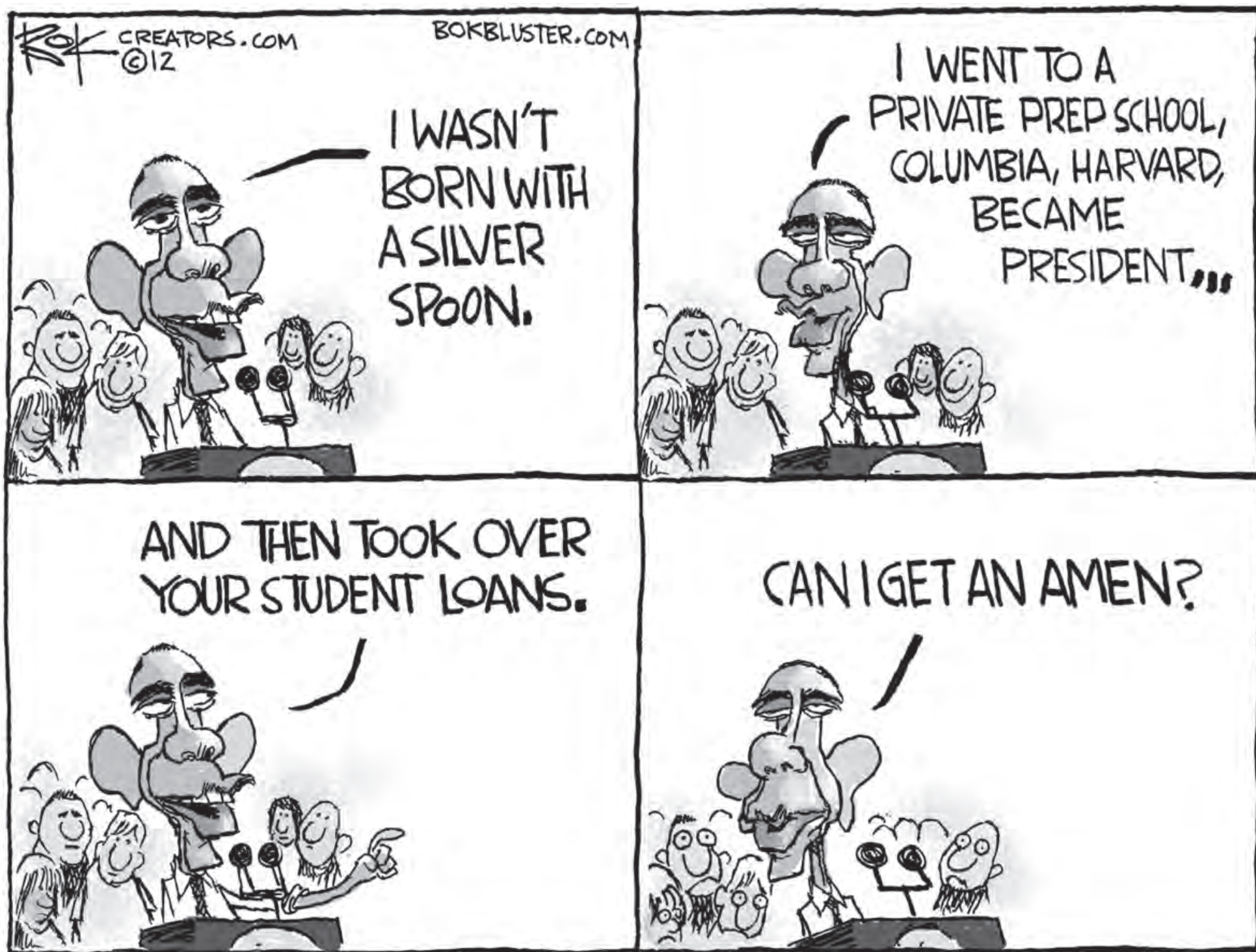
The latest CNN poll gives the president a substantial lead over

his likely challenger, reflecting the same advantage for Obama among low-income, female and young voters. But all those surveyed felt that Obama was far more likely to stand up for his beliefs than Romney and to sympathize with those less fortunate and less powerful.

Evidently, Romney hopes to bury Obama beneath a barrage of negative advertising, with at least \$800 million that his party expects to raise from wealthy conservatives like him. But that won’t erase the lasting impression created by a primary campaign that left Americans with a bad impression of the Republican Party and a worse impression of the nominee that process selected so grudgingly.

Joe Conason is the editor in chief of NationalMemo.com.

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## Who is 'racist'?

Whatever the ultimate outcome of the case against George Zimmerman for his shooting of Trayvon Martin, what has happened already is enough to turn the stomach of anyone who believes in either truth or justice.

An amazing proportion of the media has given us a painful demonstration of the thinking — and lack of thinking — that prevailed back in the days of the old Jim Crow South, where complexion counted more than facts in determining how people were treated.

One of the first things presented in the media was a transcript of a conversation between George Zimmerman and a police dispatcher. The last line in most of the transcripts shown on TV was that of the police dispatcher telling Zimmerman not to continue following Trayvon Martin.

That became the basis of many media criticisms of

Zimmerman for continuing to follow him. Only later did I see a transcript of that conversation on the Sean Hannity program that included Zimmerman's reply to the police dispatcher: "O.K."

That reply removed the only basis for assuming that Zimmerman did in fact continue to follow Trayvon Martin. At this point, neither I nor the people who assumed that he continued to follow the teenager have any basis in fact for believing that he did or didn't.

Why was that reply edited out by so many in the media? Because too many people in the media see their role as filtering and slanting the news to fit their own vision of the world. The issue is not one of being "fair" to "both sides" but, more fundamentally, of being honest with their audience.

NBC News carried the edit-

ing even further, removing one of the police dispatcher's questions, to which Zimmerman was responding, in order to feed the vision of Zimmerman as a racist.

In the same vein were the repeated references to Zimmerman as a "white Hispanic." Zimmerman is half-white. So is Barack Obama. But does anyone refer to Obama as a "white African"?

All these verbal games grow out of the notion that complexion tells you who is to be blamed and who is not. It is a dangerous game because race is no game. If the tragic history of the old Jim Crow South in this country is not enough to show that, the history of racial and ethnic tragedies is written in blood in countries around the world. Millions have lost their lives because they looked different, talked differently or belonged to a different religion.

In the midst of the Florida tragedy, there was a book published with the unwieldy title, *No Matter What ... They'll Call This*

*Book Racist*. Obviously it was written well before the shooting in Florida, but its message — that there is rampant hypocrisy and irrationality in public discussions of race — could not have been better timed.

Author Harry Stein, a self-described "reformed white liberal," raised by parents who were even further left, exposes the illogic and outright fraudulence that lies behind so much of what is said about race in the media, in politics and in our educational institutions.

He asks a very fundamental question: "Why, even after the Duke University rape fiasco, does the media continue to give credence to every charge of racism?"

Harry Stein credits Shelby Steele's book *White Guilt* with opening his eyes to one of the sources of many counterproductive things said and done about race today — namely, guilt about what was done to blacks and other

minorities in the past.

Let us talk sense, like adults. Nothing that is done to George Zimmerman — justly or unjustly — will unlynch a single black man who was tortured and killed in the Jim Crow South for a crime he didn't commit.

Letting hoodlums get away with hoodlumism today does not undo a single injustice of the past. It is not even a favor to the hoodlums, for many of whom hoodlumism is just the first step on a path that leads to the penitentiary, and maybe to the execution chamber.

Winston Churchill said, "If the past sits in judgment on the present, the future will be lost." He wasn't talking about racial issues, but what he said applies especially where race is involved.

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

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