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THIS WEEK

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California tech firm to bring 250 new jobs to Salt Lake County

By John Rogers

The Enterprise

In a deal that is expected to bring \$14 million in state taxes and \$152 million in wages over the next 10 years, California-based FireEye and the Governor's Office of Economic Development (GOED) have revealed an expansion of the company into Utah. The move is expected to bring 250 new jobs to Salt Lake County.

Called Silicon Valley's hottest computer security startup by *Forbes* magazine, FireEye will move its customer support group to Utah. The new jobs created by the move will be mostly technical support personnel who will field call from FireEye customers concerning operation of the company's various anti-malware software products. FireEye solutions detect and block attacks across both Web and email and supplement traditional firewalls, IPS, anti-virus and gateway products.

"We are very happy to be locating our Americas customer support group in Utah," said Tony



Kolish, FireEye senior vice president, customer services. "With a talented technical workforce and favorable business environment, Utah offers an excellent location for FireEye to put a technical customer support center."

Rob Rachwald, FireEye director of research and communications, said that sites in other states were considered. "But we just loved Utah," he added. Several locations in the Salt Lake Valley are under consideration but a specific location has not been chosen, according to Rachwald. Selection of a site is imminent, with operational startup scheduled for the second quarter of 2013.

FireEye was founded in Milpitas, California in 2004 by Ashar Aziz, inventor of the core technologies behind the FireEye Malware Protection System. He is
see FIREEYE page 2

Homebuilder buys 230-acre subdivision project in Vineyard

Home Center Construction, a West Jordan-based homebuilder, has purchased an approximately 230-acre subdivision project in Utah County from America First Credit Union, which acquired the property from a local developer as part of a foreclosure proceeding.

Now called Homesteads, the project is just off Geneva Road in the small town of Vineyard and eventually will be home to more than 275 multifamily units, over 70 units of senior housing and nearly 800 single family homes.

Dan Allphin of South Jordan-based REMAX Results, the real estate agent for Home Center Construction, said the previous developer constructed the main roads surrounding the project's 11 approved "pods," in addition to a drainage system that will allow for basements despite the proximity of Utah Lake.

The project's pods were at one time entitled for a total of 1,046 units, but Home Center

Construction is now in the process of trying to increase that number to roughly 1,100, he said, noting the development will probably take a decade to build out.

Lot sizes will range from 6,000 to 7,000 square feet (entry level), 8,000 to 10,000 square feet (mid-level) and a third of an acre (\$400,000 to \$500,000 homes), Allphin said.

Home Center Construction plans to develop a number of the lots and sell them to builders of all sizes, in addition to constructing homes itself, Allphin said, noting Home Center Construction builds about 50 homes per year. Construction should begin this spring.

Home Center Construction was launched in 1976 by Glen Pettit, a fourth-generation builder who still heads the company. The firm has developed Sycamores in West Jordan, Maple Hills in Tooele and High Pointe in South Jordan.

Bill barring discrimination based on height, weight fails to advance

By Brice Wallace

The Enterprise

A bill that would have added height and weight to employment antidiscrimination law carried little weight in a legislative committee. The House Business and Labor Committee rejected HB132, keeping it from advancing to the full House.

The bill, sponsored by Rep. Larry Wiley, D-West Valley City, would have banned employers from considering a person's height or weight when hiring, promoting, discharging, demoting or terminating an employee or applicant. Those characteristics would have joined race, color, sex, pregnancy, age (if 40 or older), religion, national origin or disability as legally protected classes.

The bill also called for employers to make "readily achievable modifications" to

workplaces to accommodate a person's weight or height through changes in furnishings, workplace layout and equipment. Employee lounges, cafeterias, health units and exercise facilities would have been required to be accessible to people of all sizes.

Height and weight antidiscrimination provisions have been made law in Michigan and several cities, Wiley said.

He told the committee that taller people get favorable treatment. "At first blush, the concept of real height discrimination is almost laughable ... yet there is no denying that we place a high premium on height, be it social, sexual or economic, and a preference for height pervades almost every aspect of our lives. ... Height-based prejudice permeates employment decisions, perhaps as
see BILL page 2

Outdoor products CEO: SkiLink is a poor idea

By Brice Wallace

The Enterprise

The SkiLink gondola proposal that would connect Canyons and Solitude resorts ultimately could spawn a series of lifts between other resorts that could mar some of Utah's most pristine lands, the leader of a climbing and skiing gear company said last week.

Speaking at a Salt Lake Rotary luncheon, Peter Metcalf, president and CEO of Black Diamond Equipment Ltd., said SkiLink's development would cause other resort connections to pop up as resorts try to keep up with Canyons and Solitude.

Proponents have said SkiLink would enhance skiing and snowboarding in Utah, inject \$51 million in the local economy, result in 500 new jobs and lower greenhouse gas emissions because fewer people would be driving between the two resorts.

But Metcalf punched holes in the proposal, saying a more comprehensive approach is needed.

"I think what you find is that, generally, there is agreement on that idea of having a way that people can get between the ski



areas without automobiles [and it] makes a lot of sense to have these together," said Metcalf, whose Salt Lake City-based company is expected to have \$220 million in revenue this year and has more than 700 employees worldwide.

"But the key is to do it in a way that is holistic and accretive to all of our shared vision of continuing to have Utah as Ground Zero for both the outdoor ski industry as well as quality of life, a place that attracts some of the best knowledge-based businesses, creative type businesses that we want here."

Metcalf said 90 percent of people oppose SkiLink, which he said amounts to the privatization of public land controlled by the U.S. Forest Service. He said it will not be good for tourism or economic development, in part because more people are seeking

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FIREEYE

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a former Sun Microsystems engineer and also founded Terraspring, acquired by Sun in 2002. Former McAfee CEO David DeWalt is the FireEye CEO. With a global workforce of about 500, FireEye has offices in the Washington, D.C. area, Singapore, London and Buenos Aires. Its software products are in operation in more than 40 countries.

The GOED Board of Directors has approved a post-performance Economic Development Tax Increment Financing refundable tax credit (EDTIF) of \$3,603,155, or 25 percent of the new state revenue paid by FireEye over the 10 year life of the agreement with the state.

Indian restaurant to replace now-defunct Pagoda in SLC

Saffron Valley East India Café is slated to open March 13 in the former Pagoda restaurant space at 26 E St. in the Avenues district of Salt Lake City.

The 67-year-old Pagoda closed its doors in late February. Its founders, the Iwasaki family, had been subletting the space to a company called Breaking Bread for the past two years.

"We are excited to bring Saffron Valley to downtown Salt Lake City and the Avenues," said Lavanya Mahate, owner of Saffron Valley. "It will be an ideal eatery for our guests, people who enjoy healthy, fresh and flavorful Indian while providing the community with a new restaurant that celebrates diversity."

Mahate also owns two-year-old Valley Indian Street Foods in South Jordan. She said the Avenues eatery will be much different from its South Jordan cousin. Inspired by the original

East India Trading Co., which set sail to India in search of silk and spices, the café will feature mahogany accents set in a 1920s British-India era ambiance.

"Besides our award-winning food menu, we are anticipating the wine and chai bar to be a popular hangout for students and office goers alike with dreamy cups of chai which are sure to revive energy levels on any given day of the week," Mahate said.

Some of the more popular shakes and float choices are the Saffron Oreo blast, Choco Chai, Bombay Cutting Chai and Madras Filter Coffee.

Saffron Valley specializes in Indian-style street foods such as dosas, biryanis, kebabs, curries and tandoor-baked pizza.

Price points at the Avenues locations will be \$9 to \$14 for lunch and \$11 to \$16 for dinner. The eatery will be open seven days a week.

BILL

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much as race and gender."

"Heightism," he said, results in taller people getting higher pay — about \$789 annually for each added inch.

Kelsey Eller, a dietitian who studied weight issues while at Utah State University, said stereotypes and myths about weight lead to discrimination against overweight and obese people, who often are seen as lazy, greedy, selfish, addicted to food and lacking self-discipline and initiative. Research on workplace weight bias shows that heavy women are paid \$100,000 less than normal-weight counterparts over a 40-year career, she said.

One committee witness, Rebecca Batty, described herself as a woman in her 40s, Hispanic and fat, but only her weight has caused her to face discrimination, she said. Weight discrimination is "a form of bullying that is more harmful to me as an adult than it ever was as a child," she said.

Discovering that weight discrimination does not exist in a legal sense, she said, "puts a label on me that says it's OK, I'm fat and everybody can treat me however they feel like treating me, no matter what."

Another witness, Karen Clark, said people with height and weight problems know the issues they will face when applying for jobs. "If a person gets hired, they know what the conditions are. They have to accept those things," Clark said. "I'm sorry that people feel discriminated against. My heart goes out to them. But it's an undue burden on employers to have to modify things when the person is hired [because] they know those circumstances going into it."

Several committee members did not like what they considered conflicting language in the bill, which contained specific weight and height definitions in some sections but references to "impressions" in others. Rep. Jeremy Peterson, R-Ogden, said having both "creates a legal cloud."

Others worried about the bill's possible ramifications on businesses. "Does that mean an employer could not have tall shelving because that would be discriminatory against a short person?" asked Rep. James Dunnigan, R-Taylorsville.

Still others worried about the burden on employers to make accommodations for employees with height and weight issues, despite Wiley saying the Americans With Disabilities Act covers many of those issues "so it would be [a] very minimal impact to employers."

Rep. Johnny Anderson, R-Taylorsville, said companies might opt to not have exercise

areas or other common areas rather than face costs in making changes.

Anderson also said he would be "very concerned about giving any additional disgruntled employees" access to complaining to the Equal Employment Opportunity Commission. Those types of complaints often result in settlements from employers, he said. "It's bad enough as it is. I can't imagine trying to deal with that as it regards height and weight," Anderson said.

Rep. Jacob Anderegg, R-Lehi, took a broader rationale. "I don't think good public policy can accommodate all things to all people all the time," he said.

Connor Boyack of the Libertas Institute said he preferred education and persuasion rather than a new law. "We don't oppose this bill because we hate short people or hate overweight people," he said. "It is simply because that they, we, I do not have a right to a job. I do not have a right to tell an employer that he must make concessions for me."

SKILINK

from page 1

skiing and snowboarding opportunities in ungroomed, wilderness-type settings "and SkiLink is the opposite of that." He also said SkiLink would compromise the quality of the watershed, although proponents say that will not be the case.

What's more, Metcalf doubts that most people will pay \$100 per ticket for a trip that will take an hour and 45 minutes each way.

"I think the whole community here is in favor of figuring out an environmentally friendly way to connect these resorts and connect our communities in the mountains without automobiles, but it needs to be done in an area-wide, comprehensive, holistic and thoughtful manner," Metcalf said.

That manner was used by The Church of Jesus Christ of Latter-day Saints when it developed City Creek Center, he said. "City Creek would not have been possible if we had allowed a series of strip malls — crappy strip malls — to have been built around here," he said. "It just wouldn't have worked."

Among his hopes regarding SkiLink are a restoration of "balance" in the public-lands debate and more community involvement, engagement and collaboration.

SkiLink recently got a nudge forward when four members of Utah's congressional delegation introduced the Wasatch Range Recreation Access Enhancement Act, the first step in a series of actions needed for the project to become reality.

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Bill spurring construction of convention center hotel gains Senate committee support

A bill that would help spur construction of a convention center hotel near the Salt Palace Convention Center gained support from a Senate committee last week.

SB267 calls for state and local post-performance tax credits to pay for acquiring real estate and the building of convention and meeting space and parking structures as part of the hotel, but not the hotel rooms, which would be financed by a private developer. The 20 years of sales tax rebates represent a net present value of \$32.8 million.

Meanwhile, SR1, which opposes the use of any public money to subsidize a convention center hotel in downtown Salt Lake City, also was before the full Senate last week. Supporters of SR1 have said that they do not oppose the idea of a convention center hotel, but they don't want public money used to help build it.

SB267, endorsed by the Senate Economic Development and Workforce Services Committee, would result in added convention space and "add to the validity"

of the Salt Palace, according to its sponsor, Senate Majority Whip Stuart Adams, R-Layton.

Jeff Sachs, representing the Strategic Advisory Group (SAG), said post-performance tax rebates have been used in Utah to spark economic development by luring companies such as eBay and Adobe to the state. He said the hotel rebates represent about a 15 percent return on investment over 20 years "with very limited risk" to taxpayers.

A study presented to Salt Lake City and Salt Lake County officials in January by SAG indicated that a 1,000-room hotel at or adjacent to the Salt Palace would cost \$335 million. However, private-sector investment would likely be about \$235.7 million, meaning \$99.5 million in state, county and city tax rebates or abatements would be needed "to make it financially viable," the study said. The subsidy would equate to nearly \$230 million over 22 years.

The study estimated the new hotel would create 4,400 construction jobs and 2,060 direct and indirect jobs thereafter. It pegged

overall state and local tax benefits over 30 years at \$608 million.

Backers of SB267 say a state incentive of \$32.8 million and local incentives from the city and county for at least that amount would be needed to have the hotel become reality.

Last week's committee meeting testimony focused less on the public financing issue and more about the need for a convention center hotel.

David Webster of Western States Lodging said Salt Lake City needs the hotel to win convention business from other cities.

"We're in a competitive environment with other cities, and to bring conventions like Outdoor Retailer and others and to maintain them here, we need to do something to improve the competitiveness of Salt Lake City as a convention headquarters," Webster said. "And one of the ways to do that is to see more full-service hotel rooms built adjacent to the Salt Palace. ..."

But Clint Ensign, senior vice president of Sinclair Oil Corp., which owns the 775-room Grand America Hotel, said the negative impacts need further discussion. The Grand America received no public subsidies but the bill's benefits to the convention center hotel would equate to \$20,000 a day over 20 years, he said.

"How does the Grand America, that is a convention hotel in every single respect, compete against another hotel a few blocks away that is getting that type of subsidy?" Ensign asked.

Jordan Garn, executive direc-

tor of the Utah Hotel and Lodging Association and the Salt Lake Valley Lodging Association, said a publicly helped convention center hotel would have a competitive advantage over existing hotels. He asked that the bill be delayed until the extent of that advantage could be studied. "It's just simply premature to go forward on this measure without having done the due diligence that's required," Garn said.

Others aired similar concerns. Royce Van Tassell, vice president of Utah Taxpayers Association, said the bill "does feel rushed at this point" of the legislature's session. Other witnesses testified that the bill was being rushed and urged legislators for more time to consider the matter. Assistant Majority Whip Peter Knudson, R-Brigham City, said he was concerned that the bill "is being rail-roaded without proper dialogue."

Peterson Partners raises \$140 million for eighth fund

Salt Lake City-based Peterson Partners has raised its eighth fund, in the amount of \$140 million, with participation from prominent U.S. business and investment leaders.

Peterson Partners will use the proceeds of its Fund VII to make private equity investments of between \$2 million and \$15 million. The firm provides growth and buyout capital for companies with revenue between \$10 million and \$50 million.

The current Peterson Partners portfolio includes an extensive collection of innovative, high-value companies across various industries, including JetBlue Airways and Azul Airlines in the travel industry, Ladder Capital in financial services, QMC in com-

munications infrastructure, CLEO in software, Integra in healthcare services, and Packsize in the supply chain management industry.

Peterson Partners is led by founder Joel Peterson and partners Brandon Cope and Dan Peterson. Joel Peterson, former managing partner at Trammell Crow Co., currently serves as chairman of JetBlue Airways, is a professor at Stanford's Graduate School of Business and sits on the board of overseers at the Hoover Institution. Dan Peterson has served as managing director at Z Capital and partner at Trammell Crow. Cope, previously with Peterson Ventures and McKinsey & Co., has led several investments in a variety of industries and serves on a number of boards of directors.

Reagan acquires most local billboard assets of CBS Outdoor

Reagan Outdoor Advertising of Salt Lake City has acquired most of the local assets of CBS Outdoor in a deal confirmed by chairman Bill Reagan. Terms were not disclosed for the transaction, which closed Feb. 28. The affected assets consist of outdoor billboard locations.

Reagan's acquisition virtually ends CBS Outdoor's involvement in the Utah market. CBS is closing the Salt Lake City office and local representative Kip Kuroski has been transferred to

the CBS office in Dallas. CBS will maintain a very limited number of local assets for which contractual obligations prohibit their transfer. Administration of these units will be handled by CBS personnel in other states.

According to Reagan, the deal involves the transfer of between 75 and 100 units, mostly along the Wasatch Front. This number enhances Reagan's position as Utah's leader in total outdoor billboard locations. The company employs about 60 people locally.

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Security Life Insurance to move, expand HQ

By John Rogers
The Enterprise

After more than 60 years in its present offices on south State Street in Salt Lake City, Sentinel Security Life Insurance Co. is moving to a larger and nicer location just a couple of miles away. Dan Acker, vice president and CFO, confirmed that the company will occupy approximately 33,000 square feet in the Metro Business Park complex at 1405 W. 2200 S.

Extensive remodeling, valued at \$3.3 million, is currently under way with an anticipated move-in date in May. Okland Construction of Salt Lake City is the builder under the direction of GSBS Architects, also of Salt Lake.

The move has been necessitated by unprecedented growth at the company. According to Acker, Sentinel has added 35 local employees in the last year and as many as 10,000 agents nationwide. The firm has been licensed in an additional eight states in the past four years, bringing the area it serves to 23 states in the West, Midwest and South. Annual sales serviced by the Salt Lake office jumped to \$70 million in 2012 from a 2011 volume of \$25 million. The growth has come mainly from added product lines to the company's mainstay life insurance base. New products include annuities and Medicare supplement insurance.

"This move will give us the room we need for our current staff and then room to continue to grow as we add more employees," Acker said. Approximately 50 employees

will make the move from the current 12,000 square foot location. In addition to administration, the local office houses some local agents and fields calls generated by online advertising.

Sentinel has been in its present headquarters building for 60 years. No decision has been made on the disposition of that building, but it

will not be remodeled by Sentinel. It will be sold as-is or demolished, according to Acker.

The company was founded as Sentinel Mutual Insurance in 1948 by local funeral directors to provide funeral cost insurance to local families and has expanded through both sales growth and acquisition.



Nordstrom Rack, the off-price division of Seattle-based Nordstrom Inc., is slated to open its third Utah store at the Station Park shopping center in Farmington. Ogden-based R&O Construction will construct the shell for the approximately 29,000 square foot store, which will join locations in Salt Lake City and Sandy. While a Nordstrom Rack spokesperson could not confirm the store's opening, Craig Trottier, vice president of development for Station Park developer CenterCal Properties, said the store will open this fall. Outdoor recreation products retailer REI had been looking at the same space, he noted, and while REI is still interested in the area, Station Park currently has no additional space in which to accommodate the chain. There are currently more than 100 Nordstrom Rack stores in the United States, carrying merchandise from Nordstrom stores and Nordstrom.com at 50 to 60 percent off original Nordstrom prices, in addition to non-Nordstrom merchandise up to 70 percent off.



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Bill bans firms from asking workers for usernames, passwords for personal accounts

A bill working its way through the legislature would ban companies from asking employees or job applicants to provide their username and passwords for their personal online accounts.

HB100, sponsored by Rep. Stewart Barlow, R-Fruit Heights, would apply to accounts unrelated to the company's business.

The Senate sponsor, Majority Whip Stuart Adams, R-Layton, told the Senate Transportation and Public Utilities and Technology Committee that companies could restrict Internet access but would have no right to access passwords for employees' and applicants' accounts used for personal reasons.

"It's fairly narrowly crafted," Stuart said.

The bill contains the provisions called the Internet Employment Privacy Act. It would ban an employer from asking an employee or job applicant to disclose their username and password in order to access the person's Internet account, defined as an account used for personal communications unrelated to the employer's business purposes. It also prohibits the employer from penalizing the person for failing to disclose that information.

The employer would be able to request the information to get access to a device supplied or paid for by the company or an account or service used for the company's business. The employer also could restrict or prohibit an employee's access to certain websites while using the company-supplied device or while using a company's network or resources. They also would be allowed to access information about an employee or applicant in other ways, including through information in the public domain.

Lauren Scholnick, an attorney, agreed that HB100 is "a very narrowly tailored bill" and it addresses a growing problem.

"It's something that we haven't seen a lot in Utah as being a problem, but it has been nationally a problem, where applicants and present employees are asked for their passwords before they can get jobs, for their Facebook accounts, for their personal email," she said. "That's why this is a great idea. We're getting ahead of the problem before it's a problem here."

• Industry Briefs •

ACCOUNTING

• Salt Lake City-based **WSRP**, an accounting and audit, tax services, business valuation and consulting firm, has hired **Travis Lee** and **Brian Farr**. Lee has joined the WSRP tax professional team. He transitioned into his career in public accounting in 2011 after working several years in the financial advisory profession. Farr joined the WSRP tax professional team. He is responsible for the proper preparation of individual, partnership, S corporation and C corporation tax returns and is currently pursuing his CPA license. His past experience includes financial accounting for a large property management company.

ASSOCIATIONS

• The **Salt Lake Chamber** has named **Marty Carpenter** as executive vice president of communication. In 2012, Carpenter was recruited to direct the communication strategy for Utah Governor Gary R. Herbert's successful re-election campaign. Carpenter served as the chamber's director of communication since June 2008.

• The **City of South Salt Lake Chamber of Commerce**

has named **Maria Ivanova**, owner and founder of **DF Dance Studio**, as **Businesswoman of the Year**. Ivanova, a Jewish Russian immigrant, came to the U.S. in 2001 to study nursing at the University of Utah, though her lifelong dream was to be a professional dancer. She has won several awards, including "Mambo Queen" in 2005 and "Utah's Best Female Salsa Dancer" in 2011.

BANKING

• **America First Credit Union** has upgraded its **mobile banking services**. The new enhancement offers the ability to deposit checks via an Android or Apple device with an app that uploads a photo of the front and back of the check, and then collects other information. Additional features of the mobile banking enhancement include better security, improved multitasking, an iPad app and member-to-member transfers. This release upgrades America First's smart phone app, first released in 2007. In addition, America First will be holding a **free Shred-Your-Stuff event** on March 16 from 9 a.m. noon at 7451 S. Campus View Dr., West Jordan; 1170 Washington Blvd., and 1356 S. Main, Orem.

• **Mountain America Credit Union** has opened its **new Kimball Junction branch** at 1672 West Newpark Blvd. in Park City. Veteran Summit County banker **Brian Marsing** will manage the new branch.

• **Larry Miner** has retired from **Bank of American Fork** after almost 45 years of service at the financial institution. He retired as a senior vice president and chief operating officer and was one of the longest-tenured associates at Bank of American Fork. Miner began working at Bank of American Fork to earn income and get a jump on the job market while he was in school

at Brigham Young University. The bank hired him in September 1968 to work from 2-4 p.m. at the walk-up teller. He graduated with a degree in business management and accounting economics in 1970. Miner saw the bank grow to more than 300 employees by the time he retired.

COMPUTERS/SOFTWARE

• **VLCM**, a South Salt Lake-based technology reseller, is celebrating its **30 year anniversary**. In 1982, Richard Linton and a business partner applied to be an authorized IBM dealer. Their targets were farmers who they believed would need computers to run their center pivots used for watering crops. Shortly after being named an IBM dealer, Linton bought the computer and technology side of the business and started VLCM. Since then, the company has grown from three employees to over 100, with Utah headquarters and offices in Idaho, Colorado and Arizona.

CONSTRUCTION

• **Adam Polacsek** has joined **BHB Consulting Engineers** as a project engineer intern. Polacsek is a participant of the Hungarian-

American Enterprise Scholarship Fund, a program that grants Hungarians professional experience in the United States. He will be employed with BHB for a year and then return to his home country to share his work experience.

• Ready-mixed concrete plants in American Fork and Springville that are operated by Pleasant Grove-based **Westroc**

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from previous page

have become **NRMCA Green-Star Certified**. Westroc has also built a maintenance shop at the American Fork plant utilizing the principles of LEED. The firm saw a reduction in fuel usage of 2 percent and a reduction of electrical usage by 21 percent as a result of its environmental efforts.

FINANCE

• **Carl Laurella**, who has been with **Merrill Lynch's** Salt Lake City office for 28 years, has been nationally recognized as among the **top advisors in Utah** by **Barron's magazine** in its annual "America's Top 1,000 Advisors: State by State" list. Those on the list have a minimum seven years of experience in financial services. Numerous quantitative and qualitative measures (including assets managed, revenue produced and quality of practice) determine the rankings.

HEALTH CARE

• Two MountainStar hospitals, **Ogden Regional Medical Center in Ogden** and **Lakeview Hospital in Bountiful**, have been named among the **nation's 100 Top Hospitals** by Truven Health Analytics. The Truven Health 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. In addition to the 100 Top Hospitals designation, Lakeview Hospital was also recognized with Truven's prestigious Everest Award. This award honors hospitals that have proven long-term improvement (5 years) in quality, performance, and patient satisfaction. Lakeview is among only 17 hospitals in the United States to be honored with this coveted designation.

• **ResMed Corp.**, a developer and manufacturer of products to treat respiratory disorders, has presented **Depot Drug**, the Salt Lake City pharmacy component for the Union Pacific Railroad Health Systems, its **Heavenly Sleep award**. The award is given to organizations that provide their employees (or members) with a superior sleep program and organizations who can demonstrate great outcomes in sleep medicine. ResMed has recognized Depot Drug's Complete Sleep Program, designed for the diagnosis, treatment and monitoring of obstructive sleep apnea as one of those programs that accomplishes both criteria.

INSURANCE

• **Heather Jenkins** has joined health insurance provider **EMI Health** as help desk manager and assistant administrator. She will take on responsibilities for day-to-day management of the company's Help Desk from EMI Health's corporate headquarters in Murray and will oversee a team of help desk technicians and service representatives. Jenkins comes to EMI from the Utah Valley University School of Business where she was a computer network technician. She is a 2004 graduate of UVU. EMI is the former Educators Mutual Insurance Association of Utah.

MANUFACTURING

• **Meri Ann Allen** has been named western region digital specialist for New York-based **Mohawk**, which bills itself as North America's largest privately owned manufacturer of fine paper and envelopes. She will be based in Salt Lake City and has 14 years of experience in the digital print industry, most recently with Xerox.

MEDIA/MARKETING

• The price of the **Utah Office of Tourism's 2013 Utah Life Elevated Scenic Calendar** has been **reduced to \$7** each for the remaining inventory. In its 41st year, the publication high-

lights many of Utah's iconic destinations, outdoor activities, and events through photography and graphic design. Rastar in West Valley City printed 25,000 copies. The calendar may be purchased at www.uotstore.com or at the Zion Natural History Association bookstore located at Council Hall, 300 N. State St., Salt Lake City, UT 84114.

• **Fluid Advertising**, Bountiful, was the most awarded agency at the **2013 Utah ADDY Awards Show**, held Feb. 23 at the Utah Museum of Fine Arts. The firm won eight gold, 18 silver and a Judges' Special Award for several of its clients, including Cameron Construction, Copper Canyon Restaurant, Creamies Premium Ice Cream, the Gallivan Center, the Utah Department of Natural Resources and the Utah Division of Wildlife Resources. Despite 15 years in business, this was the first time Fluid had entered work in the competition.

• **Alan Blakely**, a Salt Lake City-based architectural photographer, has introduced **photography packages designed to transform the brand image of companies** in the architecture, design and construction industries. Blakely's photography packages are offered at fixed prices and available anywhere in the United States. Blakely calls his image makeover packages **The One-Day Miracle**,

The Three-Day Transformation and The Five-Day Market Leader. Each package offers a fixed price for photography services anywhere in the United States. All of Blakely's packages include complete architectural photography services as well as art direction, styling, retouch and unlimited usage of all of the photographs he creates.

OUTDOOR PRODUCTS/RECREATION

• For the first time since Mineral Basin opened in 2000, **Snowbird Ski and Summer Resort** is offering a guided backcountry cat skiing experience, called **Snowcat Skiing for Nature**. Proceeds benefit the Cottonwood Canyons Foundation. Half-day and private tours are available for groups as large as 10 people, or on an individual basis.

RESTAURANTS

• **Firehouse Subs**, a Florida-based restaurant chain, has presented the **Utah County Sheriff's Office** with a grant that helped fund the acquisition of a police dog valued at more than \$10,300. The dog, named Meatball by the Orem Firehouse Subs restaurant, will complete the department's K-9 unit that helps protect officers in dangerous

continued on page 9

Photo Credit: Ashley Detrick, Emerson Tapaha, Rich Watkins, NMSS

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On Friday, June 7th, 2013, the Humane Society of Utah will hold its “Wags to Wishes” First Annual Gala to celebrate the growth of our shelter, including the new state-of-the-art “Kitty City” cat adoption area and the upcoming “The Wait is Over Rover” dog adoption area. This event will raise money to directly support our mission and programs.

All sponsorship levels include:

- One table of eight at the Gala
- Company name and logo identification on the table
- Gift bag for all guests at the table

Presenting Sponsor - \$10,000

- A representative from your organization will speak for a few minutes during the live program about its support of local animal shelters.
- From April to mid-June 2013, your organization’s name and logo will appear on our two Interstate-15 electronic billboard signs as a sponsor.
- On the event website, signage, programs, invitations and videos: “Wags to Wishes’ First Annual Humane Society of Utah Gala, Presented by [Your Organization]” with a large logo.
- Full page advertisement in the event program.
- Dedication opportunity for one year on a cat Villa in “Kitty City,” or on a dog Lounge in “The Wait is Over Rover” dog adoptions area.

Supporting Sponsor - \$5,000

- Under “Supporting Sponsor(s)” on the event website, signage, programs, invitations and videos: your organization’s name and logo will be featured with any other supporting sponsors.
- Half page advertisement in the event program.
- Dedication opportunity for one year on a cat Condo in “Kitty City,” or on a dog Run in “The Wait is Over Rover” dog adoptions area.

Event Sponsor - \$2,500

- Under “Event Sponsor(s)” on the event website, signage, programs, invitations and videos: your organization’s name and logo will be featured with any other event sponsors.
- One-fourth page advertisement in the event program.

Table Sponsor - \$1,250

- Under “Table Sponsor(s)” on the event program: your organization’s name will be featured with any other table sponsors.

Your tax deductible donation will allow the Humane Society of Utah to continue rescuing unwanted and homeless animals in Utah. Please make a financial gift to help us to eliminate pain, fear and suffering in all animals.

For more information, contact **Jamie Usry** at 801-261-2919 ext. 207 or jamie@utahhumane.org.



HUMANE SOCIETY OF UTAH



Legal Matters

Avoid a nightmare with buy-sell agreements

Do you have a partner? Or, do you own a divided interest in a business? If you answered yes to either of these questions, you likely will benefit from a buy-sell agreement.

Unfortunately, far too many individuals are faced with nightmare situations only because they failed to have a proper buy-sell agreement with their partners. For example, Jared owned a retail business with his best friend Tom. They had a great business relationship and worked hard to build a successful business.

Nine years after they started the business, Tom passed away. Jared was devastated by the loss of his friend. After the funeral, Jared wondered what would happen to Tom's 50 percent ownership of the business. To his surprise, Jared was informed by his attorney that Tom's 50 percent ownership automatically passed to Tom's wife, Samantha, upon Tom's death. Tom approached



Casey Jones

Samantha to discuss buying her out. However, Samantha wanted an unreasonably large amount of money for the interest, which Jared could not afford. To make matters worse, Samantha had never been involved with the business but demanded having a vote in every decision. Jared and Samantha eventually came to a deadlock on some major decisions and the business came to a grinding halt. Jared was forced to file a lawsuit. It is possible that the court will dissolve the business and force an asset sale, causing Jared to lose his business.

This situation could have easily been avoided if Jared and Tom had a signed buy-sell agreement prior to Tom's death. A buy-sell agreement would have given Jared the right to buy Tom's 50 percent ownership interest from Samantha at fair market value. The buy-out could have been funded by life

insurance on Tom's life purchased by the business, or Jared, pursuant to the buy-sell agreement. This would have ensured a continuity of ownership and management without having Samantha's will thrust upon Jared. In addition, Samantha would have been compensated fairly for her deceased husband's share of the business.

To summarize, a properly drafted buy-sell agreement can prepare for these types of unexpected events by: (1) providing that upon the occurrence of a specific "triggering event" (e.g., death), owners agree that their interest in the company will be purchased by the company and/or the remaining owners; (2) providing a mechanism whereby the purchase price may be determined by market conditions in existence upon the occurrence of the triggering event; and (3) providing a funding source for the purchase, primarily through insurance policies, so that the liquidity needs of the business or its owners will not be onerous.

The "triggering events" mentioned above include, but are not limited to death, disability, deadlock, desire to sell interest to third party, divorce and bankruptcy. For example, if an owner receives a bona fide offer to purchase their interest in the business from a third party, a buy-sell agreement should provide that the company or the remaining owners have the right to buy the interest at the same price the third party offered (right of first refusal). This protects you from being forced to share and manage your business with strangers.

A business deadlock is a crucial triggering event for most businesses, and should be addressed in buy-sell agreements. No one enters into a partnership expecting to have a major dispute with their partner. Unfortunately, I've seen many instances where even best friends or family members have turned into enemies after starting a business together. The hostile relationship creates a deadlock, preventing the business from oper-

ating and functioning smoothly. Absent a viable buy-sell agreement that addresses the deadlock issue, all too frequently the shareholders end up in litigation.

A properly drawn buy-sell agreement would avoid placing the future of your business in the hands of a court of law. For example, a "forced purchase or buy out" provision can be inserted into the buy-sell agreement. These provisions are often called fire-sale provisions. The fire-sale provision generally provides that any partner, member or shareholder may name a specific price and terms that he or she could be bought out, or conversely, that he or she would buy the other partner out. The partner receiving the offer can either purchase the offering partner's interest or sell their interest to the offering partner at the price and terms offered. This type of provision is designed to prevent expensive and drawn out litigation.

This article does not attempt see *BUY-SELL* next page



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from page 6

situations. With the addition of Meatball, the department now has 24-hour shift monitoring and will always have a K-9 available to assist in patrol functions, apprehending suspects and detecting narcotics and explosives.

RETAIL

• Salt Lake City based **AlphaGraphics** has appointed **Gay Burke** as new chairperson. She joins the nearly 300-unit franchise company from an executive background with extensive knowledge of consumer products. From 1993 to 2007 Burke was a top executive at Pumpkin Masters, a seasonal consumer products company. Most recently, she founded a company that developed a frozen pizza for national grocery distribution.

• **Simple Products Corp.**, Sandy, has chosen **TAB Bank**, Ogden, for a \$750,000 senior revolving credit facility. The new facility has been extended through a multi-year agreement. Simple Products Corp. is a wholesale and ecommerce merchandise company that was founded in 2003. The company has operated as a product developer, manufacture, and wholesaler of retail merchandise.

SCIENCE

• **Amedica Corp.**, a Salt Lake City spinal and reconstructive medical device manufacturer, has received a **new patent for an artificial spinal disc implant** based on its proprietary Silicon Nitride ceramic material. The implant is unique in its design, material and construction and is a distinct differentiation from existing metal-on-plastic or metal-on-metal designs.

SPORTS

BUY-SELL

from previous page

to cover all the issues related to buy-sell agreements. For example, buy-sell agreements can be great estate planning tools. but that topic, along with others, is outside the scope of this article. You should consult with your attorney in order to determine if a buy-sell agreement is appropriate for your business. Every circumstance is unique and requires special drafting to properly address your needs. There is no such thing as a “one-size-fits-all” buy-sell agreement. For these reasons, this article is not intended to be, nor should it be taken, as legal advice.

Casey W. Jones is an attorney specializing in business law at the law firm of Strong & Hanni located in Salt Lake City.

• **Voting continues** until midnight April 9 for the second annual **Governor’s State of Sports Awards**, honoring athletes, coaches, teams, plays and events. The awards programs is hosted by the Utah Sports Commission and presented by Zions Bank. The awards luncheon, set for April 16, will recognize sports people and partners instrumental in helping building Utah’s sports industry. Gov. Gary Herbert will speak and present awards, along with tennis legend Andre Agassi, in nine categories at the event, set for 11:30 a.m. to 2 p.m. at the Zions Bank Basketball Center. A Lifetime Achievement in Sport award will be presented to Spencer F. Eccles. An Olympian of the Year award will be presented to recognize excellence and achievement in Olympic sport. The United States Ski & Snowboard Association will also be honored with the “Team Utah” Partner of the Year Award. Nominees were selected by a committee composed of members of the sports media and community at larger. Voting can be completed at www.stateofsports.awards.com.

TRANSPORTATION

• **Larry H. Miller Dealerships** has promoted five employees. **Rourk Kemp** has been promoted from vice president of finance for Miller Automotive Operations to CFO for Larry H. Miller Dealerships. **Chad Bravender** is now the general manager of Larry H. Miller Honda in Boise. **Jim Brown** has become the general manager of Larry H. Miller Lexus of Murray and Larry H. Miller Lexus of Lindon. **Ty Leuthold** is the new store manager for Larry H. Miller Subaru Boise. **John O’Bryan** has been named senior vice president of automotive operations for Miller Automotive Operations, based in Sandy. Salt Lake-based Larry H. Miller Dealerships operates 48 dealership locations in seven Western states.



Improve the accuracy of your putting stroke for sweet results

By Dave Pelz

If you take a close look at your game, you’ll find that you make most of your two-foot putts, but begin to miss a significant number of putts, somewhere between three and six feet from the hole. Everyone does.

There’s a combination of things that lead to putting inaccuracy as you get farther from the hole. Where you aim your putter face and how firmly you stroke the putt are major factors. Then there’s the break due to the slope, and the speed and quality of the green. But you know all this — after a few years of playing the game, your aim became instinctive, you developed the touch to create the proper energy in your stroke for good putt-speed control, and the knowledge of just how much your putts tend to break at the speeds you roll them became ingrained in your DNA.

A factor you may not be paying attention to, however, is the quality of your impact.

The precise location of the strike on your putter face influences both the amount of energy transferred to the putt and its starting direction. There’s only one small point on any putter face

that’s truly “sweet” — the point on the strike area that results in zero putter-head rotation and maximum energy transfer at contact.

To see if you’re stroking putts on the sweet spot, place a piece of impact tape on the face of your putter and roll 30 different-length putts on the practice green. If your impact pattern is less than 3/8 inch in diameter and near your putter’s sweet spot, that’s good. If it’s larger, or centered away from the sweet spot, you need to practice with a feedback device called the “Teacher” clip (visit pelzgold.com) to train your putting stroke for solid impact. And I promise: groove a sweet-spot stroke and you’ll see sweet putting results!

Dave Pelz is an American golf coach, known for his expertise and published writing on the art of the short game, particularly putting. Pelz’s *Short Game Bible* was a *New York Times* national best-seller in 1999. Pelz was named by *Golf Digest* magazine as one of the 25 most influential instructors of the 20th Century. Pelz continues his research at the Pelz Golf Institute in Spicewood, Texas.

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The secret of lousy service and how to fix it

Last week I promised the answers to why lousy service occurs and how to fix it. The answer revolves around four words you already know: *positive attitude* and *personal pride*.

Let's start with a little background.

Here are the reasons or feelings that negatively affect your attitude and reduce or eliminate the power of your ability to serve at a superior level:

- My boss is a jerk.
- I hate my job.
- I hate my coworkers.
- I'm too good for this.
- They don't pay me enough.
- They don't understand me.
- Benefits suck here.
- I have my resume in five other places.

• I can't wait to get out of here.

ANSWER ONE: There's a two-word secret to service response: positive attitude.

• Positive attitude, defined as the way you dedicated yourself to the way you think, is the beginning point of service.

• Positive attitude is not what happens to you. It's what you do, and how you respond to what happens to you. That is the essence of service.

• Positive attitude must be the first part of any training program, or the rest of training will fall on deaf ears – or worse – existing negative attitudes.

ANSWER TWO: There's a two-word secret to the service process: personal pride.

• It's not how you feel about the customer, it's not how do you feel about the circumstance. It's all about how you feel about yourself. Your personal pride.

• Personal pride should give you the incentive to be at your best, respond at your best and serve at your best *at all times*.

• You're not doing this for other people, you're doing it for yourself. Once you understand that, great service not only becomes easy, it actually becomes fun.

Here are a few guidelines to make personal pride more easily understood:

- Personal pride must be more powerful than feelings about boss or company.
- Personal pride must be more powerful than pay.
- Personal pride must be more powerful than existing job.

REALITY: If positive attitude and personal pride are present, then service, even great service, is possible. And vice versa.

MAJOR POINT OF UNDERSTANDING: It's not a job, it's an opportunity. And your attitude, combined with your personal pride, will determine your short-term and long-term fate.

Yes, I realize there may be extenuating, outside circumstances that affect attitude, pride and even performance. There are too many possible issues to deal with in this short piece, but I do want to acknowledge it's not always work related.

KEY POINT OF

UNDERSTANDING: It's likely that most people reading this will not be in the same job five years from today. But between now and then, the thoughts you have, the personal pride you build and display, and your level of performance will dictate the quality of job or advancement you're likely to secure.

Why would you risk lousy performance at your present job, thinking you're going to get a better job based on resume or desire? It doesn't make sense. And it's a fantasy with an unhappy ending.

KEY POINT OF UNDERSTANDING: Once you understand that you're serving for yourself, once you understand that your attitude will determine your communication excellence, and once you understand your personal pride will dictate your actions – at once you see your possibilities, and will have the ability to better improve your performance.

Don't be mad at the world, don't be mad at your customers, don't be mad at your boss, don't be mad at your coworkers – be happy about yourself.

NOTE WELL: If you're the boss, or you're in HR, or you're the trainer, stop training a bunch a crap about your company and how to fill out the silly papers, stop telling me all about how great the company is, how you have a great reputation, and that I should be happy to work here. That's a bunch of baloney! You can email me that.

START YOUR TRAINING SESSIONS LIKE THIS: Here are two things most people don't know about themselves AND their success.

HR REALITY: Train me about me. My attitude, my personal pride, my happiness, my opportunity. Information I can use now and later. Information that applies to me.

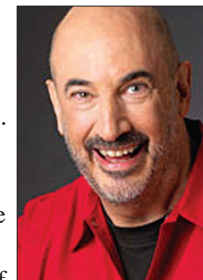
BIGGER HR REALITY: Most employees disdain training; they just want a paycheck.

BIGGEST HR REALITY: The more you help the employee succeed, the more they will set the standard you're hoping for. They will have a better attitude and serve with pride because you helped them.

That's not just a challenge, HR – that's your opportunity.

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

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BANK of UTAH

BUSINESS SPOTLIGHT

Locally owned Alpine Sports is gearing up for a fresh run

“In this market right now — in any business — you may not exist in a very short time,” says Bobbie Chambers, owner of Alpine Sports in Ogden.

It’s true. But it doesn’t have Chambers worried about her local ski shop. Rather, like a true entrepreneur, she sees market flux as an opportunity.

Alpine Sports opened in Ogden in 1955, founded by Chambers’ father, Bob Chambers, along with a few other investors. “My family was a ski family,” Chambers explains. “My father was an NCAA ski champion in college, so our entire family grew up skiing.”

As the family passion grew into a viable business, Chambers, who competed in freestyle skiing as a teen, bought in at age 21. Eventually she and her sister, Peggie Chambers, had bought up everyone else’s shares.

Chambers learned early on that there’s no such thing as resting on your laurels in business.

Currently the primary shareholder of Alpine Sports, she focuses on continually refreshing the customer experience: “Business changes faster all the time. I used to feel like I had to look at things every one to three years; then it was down to every year. Now we’re reanalyzing marketing and fashion every six months.”

Open from Labor Day weekend through mid-April, Alpine Sports regularly updates its retail offerings, including skis, boots, apparel and accessories. The firm also purchased new ski equipment for its rental and demo department, so customers can try new 2013 models.

Continually raising the bar is critical to success, Chambers says — even when your business is in the same city going on six decades, still serving the same customers year after year. “We wanted a shop where somebody could always find unique apparel or things they didn’t know they needed, and were happy when



Fifty-seven year-old Alpine Sports in Ogden is still family owned.

they left,” she says.

Alpine Sports also recently added a full-service tuning shop — “a huge undertaking,” Chambers says. In fact, she hired a consultant to bring it up to a level competitive with the top race shops across country. “I don’t look at Alpine Sports as just competing with local businesses,” she explains. “We’re competing with

businesses internationally. We’re not Aspen, but the level of care and expectation is the same.”

The payoff for consistently exceeding customer expectations? Loyalty. Alpine Sports serves four generations of customers at the store. “People come into the store and say that our dad sold them their first pair of skis,” Chambers says. “And kids that I helped when

I was just starting out are bringing in their kids now. It’s really rewarding.”

Over the years, Chambers has learned a thing or two about making a locally owned shop run. In addition to staying on one’s toes, she stresses the importance of collective efforts. Alpine Sports is a member of a buying group with other retailers, which allows the company to strengthen relationships with vendors. Chambers’ sister, Peggie, still a partial owner, is active in working with the local convention and visitors bureau, area hotels and vacation booking companies.

To meet the financial requirements of joining a buyers group, Alpine Sports partnered with Ogden-headquartered community bank, Bank of Utah. The bank also handles the shop’s machinery loans, credit card processing and day to day banking. “Building relationships — whether it’s with

see ALPINE page 14



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How the uncertain future of Social Security could really affect your retirement

The future of Social Security is being questioned while Congress and the White House face one fiscal battle after another. With politicians haggling over sequestration, the budget and the debt ceiling, misinformation abounds and uncertainty is on the rise. As Congress continues to debate how to cut federal spending and decrease the deficit, those relying on Social Security now and in the future have questions that need comprehensive explanations.

Many seniors and soon-to-retire boomers I speak with are concerned that the current debate in Washington about spending cuts will jeopardize their Social Security income. It's important to get accurate information out there so that retirees know what is going on with the benefit they've worked for all their lives and rely on for their retirement.

Here are answers to four common questions about Social Security for both today's and tomorrow's retirees.

Will there be changes to Social Security for today's retirees? Most politicians run on the promise that they will not cut benefits for today's Social Security recipients. One proposal under consideration, however, would do just that. Some politicians, including President Obama, have stated that they would consider changing how Social Security's cost of living adjustments (COLA) are calculated for inflation. This change is called "chained Consumer Price Index" or "chained CPI." This method calculates inflation lower than a traditional CPI calculation. By using it, the government would be able to pay less in COLA increases to beneficiaries of Social Security. For example, the Social Security COLA increase for 2009 was 5.8 percent. Had chained CPI been used, retirees would have received only a 2.5 percent increase. Social Security beneficiaries didn't receive a COLA increase in 2010 and 2011, and the 2013 COLA was a mere 1.7 percent. The transition to chained CPI is still a proposal, but if politicians make it law, many are worried that seniors will have less purchasing power and won't be able to keep up with inflation.

Will Social Security be around when I retire? Starting in 2010, Social Security paid more in benefits and expenses than it collected in taxes and other noninterest income. It was still operating at a net positive, though, because of income from interest. The 2012 Social Security Board of Trustees Report states that beginning in 2021, annual costs will exceed total income, and trust fund assets will begin to decline. Trust fund reserves will be completely exhausted in 2033. Once this happens, Social Security will only be able to pay 75 percent of its benefits through continuing tax income.

Essentially, the majority of today's retirees will not be impacted. But the trust fund will run dry in 2033, at which point, the program will no longer be able to operate at the same capacity. Unless Congress is able to increase the longevity of the program through reform, 20 years from now retirees could face significant cuts to benefits.

Will Social Security pay enough for me to afford my retirement? It's important to remember that Social Security was

not designed to provide Americans with all the income they need in retirement. It was intended to supplement their other retirement income, not replace it. Currently, the average annual income from Social Security is only \$15,144. Yet for 23 percent of all married beneficiaries, Social Security represents at least 90 percent of their income. That number increases for single beneficiaries: 46 percent rely almost entirely on Social Security.



Sean Lee

A common analogy is that retirement income is a three-legged stool. Social Security is only one leg of the stool, which also includes pension plans and personal savings. With uncertainty rising over the stability of Social Security, personal savings plans such as IRAs and 401(k)s become even more important.

Could sequestration or the budget negotiations bring about Social Security reform? The only proposed change to Social Security during the sequester negotiations was President Obama's proposal to implement chained CPI, though members of his own party didn't stand by that proposal. Nevertheless, the recurring emphasis on the federal debt and budget deficit could still bring about reform. The last notable Social Security reform took place in 1983, and while some of those changes took effect immediately, like how much of Social Security benefits are taxable, others are only starting to take effect now. The increase of the retirement age to 67 that was legislated then won't take effect until 2027. The Social Security Board of Trustees emphasized in their 2012 report that the sooner lawmakers take action to address the financial challenges of Social Security, the more options and more time will be available to them to phase in the changes.

More and more, your success in retirement is determined by your own actions when you're working. Save diligently for retirement and carefully plan your retirement income so that you can have a financially stable retirement in your future with or without Social Security."

Sean P. Lee is president and founder of SPL Financial Inc., Murray. He specializes in financial planning and assisting individuals with creating retirement income plans. Lee is an Investment Advisor Representative with Global Financial Private Capital LLC, a licensed life and health insurance professional, and holds a master of science in financial services (MSFS) from the Institute of Business & Finance and a bachelor of science in finance from Westminster College. For more information visit www.SeanPLee.com.



Identity theft takes its toll on employers, too

By James R. LaPiedra,

This past winter one of the top box-office movies was called "Identity Thief," a lightweight comedy about a guy chasing a woman across the country after she had stolen his identity. It was filled with pratfalls, sight gags and fat jokes.

The message of the movie was simple: getting your identity stolen *can* be funny. But try telling that to the more than 11 million victims who each year suffer the devastating emotional toll of knowing they no longer have control over their lives. To his credit, film critic Mick Lasalle of the *San Francisco Chronicle* summed up the movie quite well: "The concept of one person stealing another's identity might be amusing in the abstract, but the minute you start filling in the details, it becomes the stuff of drama, not comedy."

Identity theft is not just a financial burden, but also a feeling of vulnerability and violation. It's why you can find support groups all over the country that deal with nothing but helping ID theft victims cope with the realization of what has befallen them, and the long and winding road needed to be traveled in order to try and resolve the situation.

Research shows it can take up to 33 hours for a victim to come to a satisfactory ID theft resolution, with some reports suggesting it can take up to 600 hours for truly serious breaches to be rectified, and occasionally the problem never gets resolved. There are instances where a person's identity has been abused so badly the victim has to walk around with an affidavit saying they are the *real person* their ID says they are.

Whether 33 hours or 600 hours, that's a lot of time spent on phones, emails, copying documents, running to the post office, etc. It also takes a lot of direct telephone interaction with a live person, a person who works your basic 9-5 schedule.

This means when a person has their identity stolen there's also an innocent bystander about to become collateral damage: the employer.

Industry research has found conclusive evidence that legal issues cause workplace distraction, absenteeism and lost productivity. According to *Corporate Wellness* magazine, 48 percent of a company's employees will experience some business or personal legal-related issues (including ID theft) throughout the year, and be away from their jobs at least 51 hours per year to solve them. This time spent away from work dealing with legal issues ends up costing employers thousands of dollars in terms of overtime, absenteeism, higher insurance and compensation premium claims, administrative costs and lost employee production. The publication goes on to further state that studies show employees with legal problems usually:

- Are absent five times more than average.
- Use their medical benefits four

times more than average.

- Use their sick leave twice as often as the average employee.
- Experience a substantial reduction in their productivity.

Identity theft issues can have a devastating effect on an employee's credit rating, their reputation, emotional state and morale. Employees are battling the emotional stress akin to being the victim of a violent assault.

Employees dealing with ID theft do not have their head in the game when on the job. They need to make repeated phone calls, either on the company phone or going outside to talk on their cellphone. They are checking their personal emails, using the company fax and copy machine, taking longer lunch breaks to stand in line at the post-office. Just dealing with the credit bureaus alone is a Herculean effort. According to a recent report on "60 Minutes," the three major credit bureaus are designed to make the situation even more difficult. The report states that no one on a phone has the power to help you and if you send anything to their post office box; "No one with the authority to settle your dispute will ever actually see it."

According to Corporate Wellness magazine, 48 percent of a company's employees will experience some business or personal legal-related issues (including ID theft) throughout the year, and be away from their jobs at least 51 hours per year to solve them.

And to add to the crushing emotional toll, the fastest-rising form of ID theft is children. If you think your employee is distracted by their own legal issues, picture the mindset when they also have to concentrate on protecting their children as well.

The core of the issue is lost productivity, through either not being on the job or negligence in doing the job. Employers may be able to tolerate something simple like a stressed out secretary misspelling a word in a correspondence because her credit card company just charged her \$5,000 for a seven-day cruise to the Bahamas she never took. But what if the distraction is life threatening, to fellow employees and the customers? What if the guy driving a bus through a busy city street is shouting at his banker on his cellphone and doesn't notice the light is no longer green?

ID theft is a major problem in this country and any employer who thinks they are not going to be affected by it because they handed out a pamphlet at orientation on how to be careful is simply sticking their head in the sand. Employers need to be supportive of what the employ-

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THEFT

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ee is going through, and make every effort to make the process as stress-free as possible, both for them and the company's bottom line.

Companies need to train their HR staff on how to deal with this ever-growing issue in a way that can boost employee morale, keep their eye on the ball and do everything possible to alleviate the situation. But most importantly, many businesses with foresight are now making identity theft services a coveted voluntary benefit. They are discovering that for a nominal cost per employee, depending on the size of the company and participation, it's a small price to pay in lieu of a reduction in productivity and revenue.

Stephanie Ward at Corporate Synergies Group Inc., a Mount Laurel, N.J.-based health insurance broker and consulting firm, when interviewed by *Business Insurance* magazine, stated that ID theft protection coverage is something she is including in her proposal information. And according to Rob McGinnis, president and chief executive officer of Marsh Inc.'s U.S. consumer business, "all types of employers are now offering it, (particularly) financial, medical and security firms which

have a heightened awareness of the risk because these industries are popular targets for identity theft-related crimes." Libertyville Savings Bank in Fairfield, Iowa, provides full coverage of legal services, including identity theft, to its 32 employees at an annual cost of roughly \$5,000, says CEO Jill Burnett.

Some ID theft services have procedures in place where case managers reduce significantly time spent by employees on the phone during work hours trying to cancel stolen credit cards by making the calls for them.

Employers are never going to be able to completely protect their employees from ID theft. But with the right mechanisms in place, they can help ease the pain, reduce the stress and keep the bottom line from hitting rock bottom.

James R. LaPiedra is president of ID Theft Solutions USA. He is a decorated longtime member of the New York City Police Department, where he served as a deputy inspector until 2000, and is considered an expert in security and on the subject of identity theft. He was also responsible for security operations at both Lehman Brothers and Pershing. James is a Certified Identity Theft Risk Management Specialist. Contact him at James@idtheftsolution-susa.com.

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Building Permits are Not Created Equal, Part 2

By Ron Dunn

Certain agencies within the federal government require that buildings in which they can/will lease space either meet or exceed an enhanced level of safety and performance. Even the federal government understands the added risk of potential office down time, or time lost due to probable seismic events. These building properties are otherwise functioning structures that at one time or another obtained building permits. Generally if the desired property does not satisfy this litmus test, additional structural features must be added to the existing structure to bring the space into conformance with federal regulations.

Current trends in building design focus on “green” aspects of enhanced air quality, energy savings, natural lighting methods and reducing the overall carbon footprint through material selection and efficiencies. These worthwhile advances in technologies and thinking have improved the quality and experience within the structure and benefited the environment and deemed value added and worth the additional cost. In most cases these improvements are driven by the consumer and not the brainchild of the

building owner.

Let’s not stop here. The consumer should desire that the structure they occupy satisfy an understandable level of structural performance not simply space for rent. Owners should be able to charge a premium for space that is highly engineered and will certainly perform superiorly to other properties. These places could be sought out and in high demand. Rather, oftentimes structural engineers are simply requested to provide as cheap a design as possible within code limits and still obtain a building permit.

Chances are that most new buildings should not collapse and loss of life should be minimal, however; some structures will survive better and those tenants will be able to return to work. We shouldn’t let the federal government continue to lead in this effort. Talk to a structural engineer to find out what kind of building you are in.

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

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Bobbie Chambers, Alpine's owner, competed in freestyle skiing as a teen and bought into the company at age 21.

ALPINE

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your customers or vendors or your bank — that’s your biggest value,” Chambers says.

Nearly 30 years after buying into Alpine Sports, Chambers is ready to reimagine the business on a grander scale, including her role in it. “I want to grow the business to a point where — perhaps it’s wishful thinking — but where the owner can work 40 hours a week, and managers aren’t being worked to death, either.”

Moving toward this ideal “lifestyle” for the store, as she terms it, Chambers has been working with a consulting company since July of last year. With their help, she’s redefining the company’s business plan and strategy, from its mission statement right down to job descriptions, sales and buying, and marketing and branding. “We’re working on a lot of different aspects, things my

father couldn’t teach me,” she says. “I needed mentoring to go forward and grow the business. We’re always spending money on employees and, as owners, I think we forget about ourselves.”

Recognizing that her ultimate strength is as the business’s leader and visionary, Chambers is gearing up to implement her big-picture goals in the months ahead, including giving employees more accountability. “My days of buying and managing are behind me. I’ve got great staff, and it’s going well,” she says.

In order to continue to grow Alpine Sports, now in its 58th year, passion for the retail ski business is a must, Chambers says. And it’s clear that she has it. “Every time I meet with my consultant, I find out how much more I don’t know,” she says. “It’s a big project, making the shop my own, but I’m loving it!”



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Irena Edwards is currently a Senior Relationship Manager and VP for KeyBank's Real Estate Capital Group and has been financing Commercial Real Estate since 2005. With almost 20 years in the financial industry, she has provided financing for both construction and existing commercial income producing projects, including retail, office, industrial, and multi-family. She has significant experience in portfolio and risk management, construction financing, loan syndication, and permanent loan placement. Irena graduated from Westminster College with a BA in International Business and received her MBA from University of Utah.

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• Calendar •

• March 12, 8-9:30 a.m.: **“Financing 101 for Small Businesses,”** a panel discussion presented by the World Trade Center Utah. Bryson Patterson, Small Business Administration export finance specialist located in the Denver Export Assistance Center, will share his expertise on financing. The panel will include representatives from the Utah banking industry. Free. Location is the World Trade Center Utah, Canyonlands Conference Room, 60 E. South Temple, Suite 300, Salt Lake City. Registration can be completed at http://www.wtcutah.com/events/register/financing_101_for_small_businesses.

• March 14, 11 a.m.: **Intermountain Association for Corporate Growth Capital Connection and Deal Source.** The conference connects private equity groups with middle market businesses and the intermediaries who work with them across the Intermountain West. Luncheon keynote speaker will be Michael O. Leavitt, formerly governor of Utah and Secretary of Health and Human Services. Location is the Grand America Hotel, 555 S. Main St., Salt Lake City. Register at <http://www.acg.org/utah/2013acgutamintermountainconferenceandacgcapitalconnection.aspx>.

• March 19, 7-9 p.m.: **“Power, Persuasion & Purpose: Preparing**

& Arming the Next Generation to Compete and Succeed Globally.” Cari E. Guittard, founding principal at Global Engagement Partners, will discuss the weapons of global influence and global mindsets. Guittard teaches graduate courses in corporate diplomacy and geopolitics for the University of Southern California Annenberg School and courses in international negotiations and women’s leadership for the Hult MBA School in Dubai. Location is the Bill and Vieve Gore Concert Hall at Westminster College, 1840 S. 1300 E., Salt Lake City. Event is free and open to the public. Details are at utahdiplomacy.org/events.

• March 19, 3:30-5:30 p.m.: **“How to Raise Money in Utah,”** presented by the Wayne Brown Institute. Participants will learn what investors and non-bank lenders look for, where to find investors and financial resources and when to start the process of raising capital. Location is the Red Canyon Events Center at the Zions Bank Financial Center, 180 N. University Ave., Provo, eighth floor. Free. Register at <http://hrmprovomar2013.eventbrite.com/#>.

• March 20, repeating March 26 and April 3, 9, 17, and 23 and May 7 and 14. **Associated Builders and Contractors Continuing Education series.** The trainings will be offered at both morning

and afternoon sessions in North Salt Lake, Ogden and Lindon; cost varies. For more information, visit abcutah.org.

• March 21, 11:30 a.m.-1 p.m.: **Building Owners and Managers Association (BOMA) of Utah meeting.** Guest speaker Angela Petersen of Zions Bank will discuss how to effectively build an evacuation program to fit any size building or facility. Location is the Little America Hotel, 500 S. Main St., Salt Lake City. Cost is \$45 for members, \$45 for guests, lunch included. Register at www.BOMAUtah.org.

• March 22, noon-1:30 p.m.: **“Best Trade Ideas for 2013,”** presented by Harvey Sax, author of the *The Investment Survival Guide*. Location is Spencer’s Steakhouse, 255 S. West Temple, Salt Lake City. Free, lunch included. Attendees will also receive a free copy of Sax’s book. Seating is limited to a first-come, first-served basis. Reserve a seat at <http://workshops.saxangle.com>.

• April 11: **Annual Governor’s Utah Economic Summit.** Event will feature keynote presentations and panel discussions in multiple tracks about strategic opportunities and challenges facing businesses. Location is Grand America Hotel, 555 S. Main St., Salt Lake City. Cost is \$140 before March 1, \$200 thereafter. Details are at [\[summit.com\]\(http://summit.com\).](http://www.utah-</p>
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• April 11, 3-4:30 p.m., repeating May 23, July 18, Oct. 17 and Nov. 7: **“Distributed Antenna Systems: Bring Your Facility Up to Full Connectivity and Full Code Compliance,”** presented by Hunt Electric. Instructor will be Darrin Guevara, ITS/communication division manager. Location for all events is Hunt Electric, 1863 W. Alexander Ave., West Valley City. Cost is \$20. Register at hunteelectric.com/training.htm.

• April 11, 8 a.m.-4 p.m.: **Second Annual Mining and Manufacturing Safety Conference,** sponsored by the Utah Mining Association and Utah Manufacturers Association. The theme is “Promoting a Culture of Safety.” Morning keynote speaker Brad Gardner will discuss “Dominoes: Just Don’t Watch Them Fall,” while Dolores Gardner will discuss “I’m Serving a Life Sentence and I Did Nothing Wrong.” Luncheon speaker Mark Eaton will discuss “Four Commitments of a Winning Team.” Event also includes exhibits, safety award presentations and breakout sessions. Location is the Little America Hotel, 500 S. Main St., Salt Lake City. The cost is \$100. Registration can be completed at www.umaweb.org. More information about the event and for vendor registration is available by

contacting Marilyn Tuttle at (801) 364-1874 or Theresa Thomas at (810) 363-3885.

• April 15, 7:30 a.m.-3 p.m.: **“Doing Business with China”** conference, presented by Utah Valley University’s Woodbury School of Business. Conference will feature keynote presentations and breakout sessions. Participants also will have the opportunity to interact and network with leading experts, business executives, non-profit organizations and international trade enterprises, including experts from World Trade Center Utah and the Governor’s Office of Economic Development. Details are at www.uvu.edu/businesswithchina.

• May 10: **Utah Hispanic Chamber of Commerce’s Annual Convention and Expo.** Tentative program includes workshop on business expansion, workshop on marketing, a student track, Women’s leadership breakfast, business expo, leadership luncheon, Quixote Business Awards and after-hours social. Location is the Utah Cultural Celebration Center, 1355 W. 3100 S., West Valley City. Cost is \$40 for chamber members, \$50 for nonmembers. Details are at uhccconvention.com.

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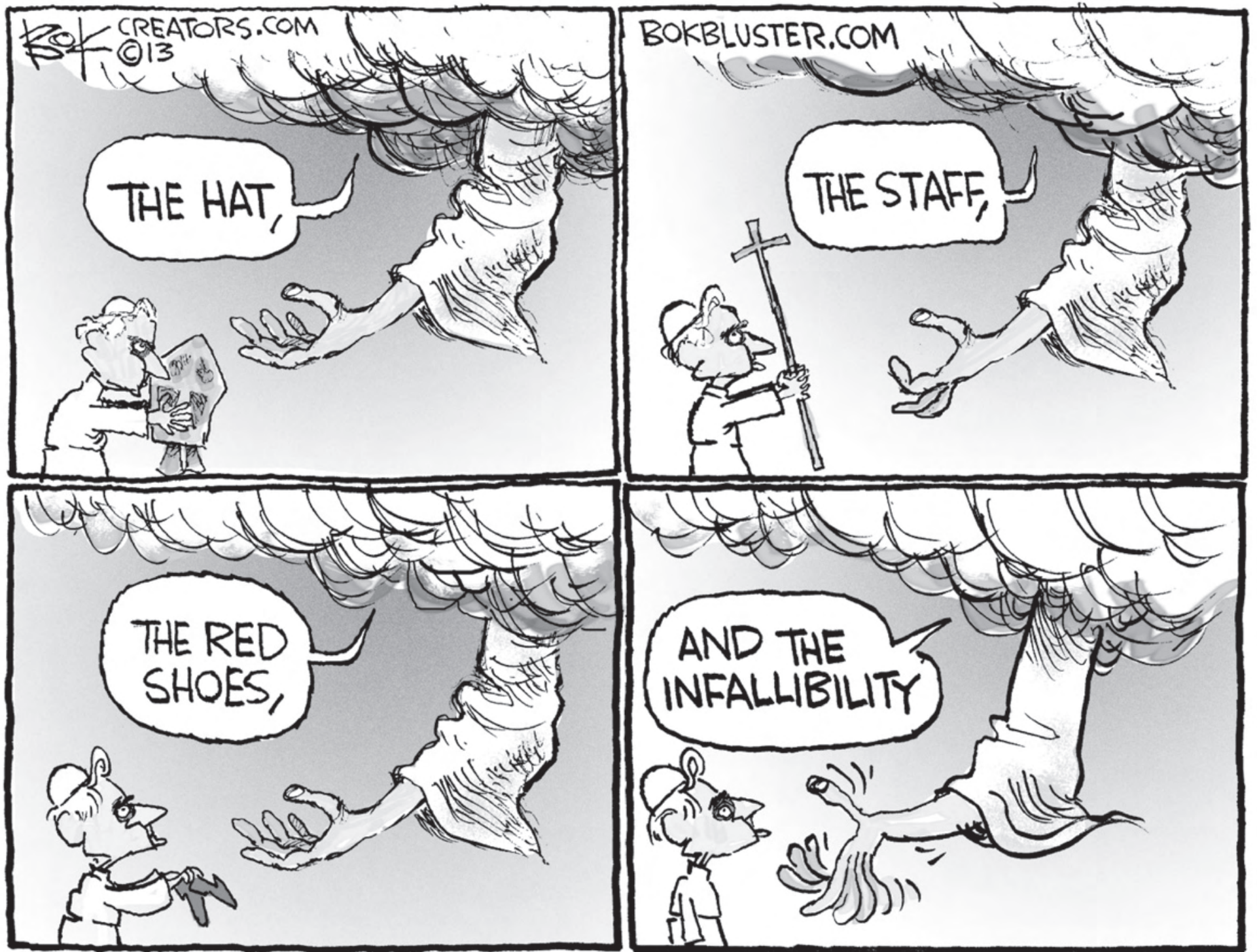
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'Greece' is exactly where austerity budgeting will lead us

Indebted America is in danger of turning into destitute Greece, or so congressional Republicans and conservative commentators have been warning us for years now. For many reasons, this is an absurd comparison — but it may not always be quite so ridiculous if Washington's advocates of austerity get their way.

The Republicans actually want to impose Greek-style budget slashing on the United States. And the federal budget sequestration that has taken effect could represent the first serious step here toward the kind of fiscal policies that have proved so ruinous not only in Greece — raising unemployment, destroying hope and encouraging extremism — but across Europe.

Nearly every day, House

Speaker John Boehner or Senate Minority Leader Mitch McConnell — or Sen. Rand Paul or Rep. Paul Ryan, or almost any other prominent Republican — insists that the only way to improve the economic prospects of the American people is to impose drastic budget cuts on them. While these Republican leaders don't love the sequester budget only because it cuts too deeply into defense programs, they are eager to impose similar cuts or worse on every domestic function, from health care and education to food safety and infrastructure.

Unwilling as they usually are to name specific cuts, the Republican plans that have emerged lately are indeed similar in scope and impact to those imposed by European cen-

tral bankers on Greece, Spain, Portugal, Ireland and other beleaguered states across the continent (and imposed by the British government on the United Kingdom itself).

Enacting the same fiscal policies in this country would, presumably, induce the same effects. Yet despite their enthusiasm for extreme austerity the Republican, Tea Party, and assorted media soothsayers almost never want to discuss what has happened in Europe as a result of those same policies. It is not always possible to ignore the unhappy reality of renewed recession, from England to Italy.

Just recently, the British were jolted by news that Moody's had downgraded investments in their country's sovereign debt from its traditional AAA status.

Why would the bond-rating agency do something like that? Principally because the miserable

budgeting of Tory Prime Minister David Cameron's government has mired the United Kingdom in negative growth, with no prospect of reducing its debt, which keeps growing. So the scheme that was supposed to improve the fiscal outlook for the British has merely lowered their credit rating. That wasn't supposed to happen — in fact, the austerity plan was designed to preserve Britain's AAA rating — but it was inevitable as soon as Downing Street chose budget-balancing over growth.

The same downward trajectory can be marked wherever the leaders of dominant Germany have forced austerity plans onto indebted governments.

So damaging has this process become for all of Europe that the Germans finally began suffering the ironic consequences in the last quarter of 2012. Their exported growth strategies cannot work

when their neighbors, reduced to poverty, can no longer purchase German goods. If German exports pick up again this year, it will only happen because customers in the U.S. and China remain exempt from the effects of austerity.

Until now, the United States has escaped the fate of Europe, remaining the "sole bright spot" of steady growth in the global economy because President Obama resisted the fiscal extremism of his Republican adversaries and contrived to ward off recession with necessary spending. Now sequestration, with all of its dire social and economic effects, will provide a taste of what is to come under Republican austerity: a shrunken nation with a dim future.

Joe Conason is editor in chief of nationalmemo.com.

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Joe Conason



Budget politics

Back in my teaching days, many years ago, one of the things I liked to ask the class to consider was this: Imagine a government agency with only two tasks: (1) building statues of Benedict Arnold and (2) providing life-saving medications to children. If this agency's budget were cut, what would it do?

The answer, of course, is that it would cut back on the medications for children. Why?

Because that would be what was most likely to get the budget cuts restored. If they cut back on building statues of Benedict Arnold, people might ask why they were building statues of Benedict Arnold in the first place.

The example was deliberately extreme as an illustration. But in the real world, the same general pattern can be seen in local, state and national government responses to budget cuts.

At the local level, the first

response to budget cuts is often to cut the police department and the fire department. There may be all sorts of wasteful boondoggles that could have been cut instead, but that would not produce the public alarm that reducing police protection and fire protection can produce. And public alarm is what can get budget cuts restored.



Thomas Sowell

The Obama administration is following the same pattern. The Department of Homeland Security, for example, released thousands of illegal aliens from prisons to save money — and create alarm.

The Federal Aviation Administration says it is planning to cut back on the number of air traffic controllers, which would, at a minimum, create delays for airline passengers, in addition to fears for safety that can create more public alarm.

Republicans in the House of Representatives have offered to pass legislation giving President

Obama the authority to pick and choose what gets cut — anywhere in the trillions of dollars of federal spending — rather than being hemmed in by the arbitrary provisions of the sequester.

This would minimize the damage done by budget cuts concentrated in limited areas, such as the Defense Department. But it serves Obama's interest to maximize the damage and the public alarm, which he can direct against Republicans.

President Obama has said that he would veto legislation to let him choose what to cut. That should tell us everything we need to know about the utter cynicism of this glib man.

The sequester creates more visible damage and more public alarm than if the president were given the authority to trim a little here and a little there in the vast trillions of dollars spent by the government, in order to make a relatively small "cut" that still leaves total federal spending higher than last year.

Only in Washington is a reduction in the rate of growth of spending called a "cut." Moreover, costly boondoggles not covered by the sequester can continue and grow.

Obviously Obama wants public alarm, which he can use to help defeat the Republicans in the 2014 elections, so that Democrats can take back control of the House of Representatives.

When Obama was offered the authority to make the spending cuts wherever he chooses, anywhere in the government's multi-trillion dollar budget, it was the only power that this power-grabbing president has rejected.

Why? Because with this new power would go responsibility for the consequences of his choices. And responsibility for consequences is precisely what both the Obama administration and the Senate Democrats have been avoiding for years, by refusing to pass a federal budget, as required by the Constitution of the United States.

Democrats prefer to get the political benefits from handing out goodies, while Republicans can be blamed for not subsequently raising enough taxes to pay for the Democrats' spending spree.

If Obama succeeds in maneuvering the Republicans into positions that cause them to lose control of the House of Representatives in the 2014 elections, then as a president who never has to face the voters again, he would be in an ideal position to create a big spending liberals' heaven.

But it will be far from heaven for the economy, with Obama-appointed bureaucrats burying businesses in red tape and job-killing costs, while expanding the size and arbitrary powers of government. We could become the world's largest banana republic.

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

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Let's turn the answers on.

Pictured from left: Dave Spalding, Rocky Mountain Power community manager with Stan Tschaggeny and Ross Tschaggeny, Metals Manufacturing Company.