

## OF NOTE



### It's not just your imagination

The U.S. Department of Transportation has confirmed what all business travelers suspect: domestic flights are arriving later and later — down another 3 percent to 76.9 percent on-time arrivals in May.

### Industry News Briefs page 5

### Business Calendar page 7

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## Two firms bringing 500 jobs to Utah through state incentives

**Brice Wallace**  
*The Enterprise*

Cookies and comparison shopping are the focus of a pair of companies that will add a total of 500 jobs in Utah over the next few years.

CSM Bakery and Consumer United announced their expansion plans after being awarded tax credit incentives last week by the Governor's Office of Economic Development (GOED) board.

Boston-based Consumer United expects to hire 400 people over the next seven years for an expansion perhaps in Weber County. CSM plans to hire 100 people as it expands an existing facility in Pleasant View in Weber County.

Consumer United's incentive totals more than \$1 million, but the project, with a \$900,000 capital investment, is expected to generate total wages of \$121.7 million over seven years and new state tax revenues of nearly \$5.3 million during that time.

The company is considering sites in

Roy, Ogden and Clearfield.

The e-commerce financial services company provides consumers with an online, real-time comparative shopping experience for insurance products offered by multiple carriers. Founded in 2007, the company now with 400 employees. It made



the *Inc.* 500 fastest-growing private companies list each of the past two years and was named one of the top 10 fastest-growing companies in insurance by *Inc.* magazine in 2012.

Jerry Oldroyd, chairman of the GOED board's Incentives Committee, said the company had been considering Phoenix; Colorado Springs, Colorado; and three sites in Texas for the project.

"We are very excited about the opportunity to expand our business operations to Utah," Justin Dangel, CEO, said in a prepared statement. "As we considered locations west of the Mississippi to accommodate our fast-growing business and customer base across the country, we found that Utah

see GOED pg. 4

## Utah gas price hikes highest in the nation

Utah leads the nation again. But, this time it's not so good.

Since May, the state has had the greatest increase in the nation for the price of gasoline, according to AAA's latest report. May gas price surveys around Utah showed an increase that topped all 50 states, shooting up 28 cents per gallon, June's prices held relatively steady, and through the first 10 days in July, the average price had increased another 14 cents.

On July 10, the average price for a gallon of regular gasoline in Utah was \$3.71 — up 4 cents in a week, 14 cents in a month, but the same as a year ago. Seventeen states report prices higher than those in Utah, but none reported a steeper climb in fuel costs since May.

All Utah cities tracked by AAA report double-digit increases since last month. The greatest gain, 15 cents, was reported by both Ogden and Moab. Provo's price rose 14 cents. Logan and Salt Lake City's prices ticked up 13 cents, St. George's average price moved up 12 cents and Vernal experienced the smallest increase at 11 cents.

Independence Day, with its large number of automobile travelers, is often used as a benchmark for price trends in gasoline. This year the national average, \$3.66 per gallon, was the highest it has been since 2009, but it was well below the all-time high for the date of \$4.10 in 2008.

"While Utah motorists know the pump price typically rises with the thermometer, the current price is the highest it has been on this date since 2008, the year Utah registered its highest prices ever," said Rolayne Fairclough, AAA Utah spokesperson.

On a national level, domestic oil production continues to show increases and there has been a relatively trouble-free season of production and distribution, according to AAA. Oil is a global commodity and the violence in Iraq continues to catch the attention of market watchers. Production in the south of Iraq remains unaffected, which has calmed fears of a disruption in the supply and somewhat lessened the upward pressure on oil prices. As oil prices ease, coupled with lower wholesale gasoline prices in the U.S., some relief should be felt at the pump.

## Business impacts vary regarding proposal to end daylight-saving time

**Brice Wallace**  
*The Enterprise*

For some people, the idea of eliminating daylight-saving time in Utah represents the dawn of a new age. For others, switching away from DST would mean darker days for at least some of the state's businesses.

In an attempt to throw some light on the DST issue, the Governor's Office of Economic Development (GOED) is collecting votes and comments about whether Utah should retain or move away from daylight-saving time. While GOED is not taking a

stance on the matter, at the legislature's behest it has set up a website that, as of the middle of last week, featured about 20,000 votes and 10,000 comments on the matter.

The website, [business.utah.gov/time](http://business.utah.gov/time), asks whether Utah should retain the existing "spring forward" and "fall back" time as currently followed in Utah and nationally, align with Arizona on Mountain Standard Time throughout the year (Arizona and Hawaii are the only states that don't use the daylight-saving time system), or have daylight-saving time throughout the year.

As of the middle of last week, about

see DAYLIGHT TIME pg. 6



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## Smith's to build at Cottonwood 'town square'

The Howard Hughes Corp. and Smith's Food and Drug have announced plans for a 78,000-square-foot food and drug store in Holladay at the former site of the Cottonwood Mall. The 57-acre mixed-use development — located eight miles from downtown Salt Lake City — will be a pedestrian-friendly environment in the affluent community featuring upscale shopping, dining, entertainment and offices in a "town square" style setting as well as multi-family residences when complete.

The Hughes development of the area will include approximately 620,000 square feet of retail and entertainment, 260,000 square feet of office and approximately 600 residences. The agreement with Smith's marks a major milestone for the highly anticipated development.

"We are pleased to partner with the most respected and well established grocer in the state of Utah," said Grant Herlitz, President of Hughes. "This is a pivotal first step in delivering a vibrant, open-air setting where people will enjoy the opportunity to live, work, shop, dine and play."

"We are looking forward to building a store in Holladay City within the dynamic Cottonwood development and offering the Smith's shopping experience to both Cottonwood residents and the surrounding communities," said Steve Sorensen, vice president of development for Smith's.



Connie Marshall, Kevin Bruder and Steve Lewis of Lewis Stages receive the Visit Salt Lake Tourism Achievement Award from Scott Beck (right), president and CEO of Visit Salt Lake.

## VSL honors Lewis Stages

Visit Salt Lake (VSL) has given its highest honor, the Tourism Achievement Award, to Lewis Stages. The annual award honors members and community organizations for their outstanding efforts in supporting the mission of VSL and the larger tourism community of Salt Lake County.

Lewis Stages is celebrating its 100-year anniversary serving corporate, convention and leisure groups and individual travelers. According to the VSL board of trustees and president Scott Beck, Lewis Stages enhances and adds a great deal to VSL's efforts in attracting both domestic and international visitors to Salt Lake and the Intermountain region as a whole.

"From Day One of our organization promoting Salt Lake in 1984, Lewis Stages has been a stalwart partner in all aspects of our sales and marketing efforts," said Beck. "Though this honor is long overdue, we felt bestowing this

award on their 100th anniversary was most fitting as reaching that milestone is an incredible achievement in its own right, particularly in consideration of the incredible highs and lows our country has experienced in the past century."

Lewis Stages' history began 100 years ago when 16-year-old Orson Lewis purchased a Model T and procured the state's first chauffeur license. Since that day, Lewis Stages has played an instrumental role in transportation, from its longstanding partnerships with Rio Tinto/Kennecott, the Utah Symphony, University of Utah athletics and more, to its extensive role in the 2002 Olympic Winter Games, when 225 of its motor coaches were used in various capacities. Today, Lewis Stages is a division of the All Resort Group and operates in 11 western states with a staff of approximately 350 people.

## Toter begins Utah production

One of the nation's leading manufacturers of two-wheel curbside waste and recycling collection carts has expanded production to Salt Lake City this summer, creating upwards of 70 jobs. The company announced its opening and beginning of production earlier this month.

"We searched long and hard to find a place that would serve us well, and Salt Lake City fit all of our criteria," said Marty Bryant, CEO of Toter's parent company, Wastequip. "The region offers a skilled workforce, a strong commitment to the vitality of the business community and a wonderful place for our associates to live and raise their families. We are delighted to join the Salt Lake City community."

The 60,000-square-foot Salt Lake City facility welcomed 40 employees as it opened its doors this month. Employment needs will expand to nearly 70 within the next three years, according to

a company release. Positions include manufacturing, warehouse operations, maintenance, purchasing, scheduling and various supervisory roles.

"There's a great deal of pride in making things on American soil, and we're thrilled to bring additional jobs to the U.S.," said Bryant, mentioning that Toter anticipates products sold through retail channels to be 100 percent American-made by 2015.

Toter's Salt Lake City location will service an approximate radius of 1,000 miles, manufacturing a wide range of products for retail consumers, municipalities and waste haulers in communities as far as the West Coast.

Added Bryant, "Toter's investment in Salt Lake City is evidence of our commitment to our customers. The investments we are making in this brand will ensure a strong growth plan well into the future."

## Local apartment demand rising

A new report from the national real estate brokerage firm Marcus & Millichap finds that demand for apartment housing is increasing along the Wasatch Front, spurring new developments. As housing demand intensifies, developers are pushing new apartment construction toward pre-recession levels.

With multifamily permitting nearly doubling in the past year, builders are showing few signs of slowing down. In addition, single-family home construction and loosening standards for mortgage underwriting are creating attractive home-owning alternatives for tenants. The increased competition for renters will push vacancy above 5 percent in 2014 for the first time since mid-2011, yet vacancy will remain well below the recessionary high.

The improving economy along the Wasatch Front has caught the attention of West Coast investors who are seeking higher yields. Sellers who purchased and rehabilitated distressed assets during the recession are bringing properties to market and taking advantage of high buyer demand, which is lifting transaction velocity. However, buyers still outweigh sellers in a market where local owners traditionally hold properties for long periods of time, keeping listings low. As a result

of limited listings and strong buyer demand, properties spend little time on the market and receive multiple competitive offers.

The increased competition is moving some local investors north and south of the urban core into Ogden and Provo. Institutions remain active in the market on both the buyer and seller side with Class A assets, trading them in the mid-5 to low-6 percent range. Class B properties were primarily targeted by out-of-state buyers and traded in the mid-6 percent range.

Some of the highlights of the Marcus & Millichap report include:

- Developers are on track to increase inventory 3 percent this year with the completion of 2,500 rentals. In 2013, 2,300 units were built.

- There are currently more than 5,000 apartments under construction along the Wasatch Front with completion dates scheduled through the end of next year. An additional 4,300 units are planned, though few have scheduled start dates.

- Competition from new apartment stock and increasing homeownership will push vacancy up 50 basis points this year to 5.2 percent on net absorption of nearly 2,500 units. In 2013, vacancy rose 60 basis points.

## Regional Council releases transportation plan

The Wasatch Front Regional Council (WFRC) has released its draft Transportation Improvement Program (TIP) and is seeking public comment on projects identified for the program. The TIP is updated every year, with the current program outlining proposed new construction projects to be funded from 2015 through 2020.

"This important effort has been the culmination of a sustained, collaborative effort with our local partners and the public. We will continue to work closely with them to further enhance our transportation planning process, plans and projects," said council chair and Davis County commissioner Bret Millburn.

Projects identified in the TIP come from the Regional Transportation Plan (RTP). The RTP identifies the long-range transportation needs for

the region, including transit, road, bicycle and pedestrian projects. Amendments to the current RTP are also being considered and available for public comment and review.

"By proactively planning for the future, we have identified opportunities to improve our region's transportation system. This ultimately helps to facilitate better traffic flow, increase travel options and improve safety for individuals, businesses and communities along the Wasatch Front," said Millburn.

Representatives heard comments last week at the Utah Transit Authority Intermodal Center Plaza. The public review and comment period for the draft TIP and the RTP amendments runs through Aug. 2.

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USAA Real Estate will build a pair of distribution warehouses totaling 590,000 square feet at the Bonneville Center off I-80 in Salt Lake City.

## USAA announces new logistics center

USAA Real Estate Co. has announced the acquisition of 57.45 acres in Salt Lake City and the development of two distribution warehouses totaling 590,000 square feet. Seefried Properties, which has partnered with USAA on projects totaling more than 12 million square feet, will co-develop the project.

Known as I-80 Logistics Center for its proximity to the busy Interstate 80, the new development is strategically located at the entrance to the Bonneville Center, a 480-acre master-planned business park two miles west of Salt Lake City International Airport. The company has committed to the project because Salt Lake enjoys strong tenant demand for Class A logistics facilities due to its central location, unparalleled access to major transportation corridors and area geography dominated by two imposing mountain ranges that limit developable land, according to a release from USAA.

"Situated midway between coasts and appointed with excellent infrastructure and transportation modes, Salt Lake City is a critical logistics hub, particularly for western U.S. markets that are enjoying renewed economic growth," said USAA CEO Len O'Donnell. "Demand for large-format, Class A warehouse space is high and growing among leading national corporations and we're very pleased to participate in this outstanding development opportunity."

I-80 Logistics Center will be a Class A industrial park with the first phase of buildings measuring 305,760 square feet and 283,920 square feet. The concrete tilt, cross-docked warehouse and distribution facilities have a depth of 420 feet. Each building is designed to accommodate up to six separate tenants with storefront glass at each building corner and center section. The buildings will feature a minimum 32 foot clear height, fire sprinkler system, minimum 47 dock high-door positions,

six grade level loading doors and a total of 65 trailer parking stalls each.

The buildings can also be combined to serve a larger user with needs of up to 650,000 square feet.

USAA Real Estate Co., with approximately \$12 billion in assets under management, provides co-investment, acquisition, build-to-suit and development services for corporate and institutional investors.

### Enterprise

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## Hamlet opens Tobermory Ridge

Hamlet Homes has debuted its newest townhome community in Holladay. Dubbed Tobermory Ridge, the new community is located on Spring Lane (approximately 5000 S.) just east of 1300 East.

"Tobermory Ridge provides homebuyers with a rare opportunity to purchase a new home in Holladay, a long-established East Bench community that has very little new home construction," said John Aldous, president of Hamlet Homes. "As Hamlet Homes marks

its 20th anniversary in 2014, Tobermory Ridge is a particularly great value within the city of Holladay."

Hamlet broke ground on its first Tobermory Ridge model home in April and has pre-sold three of the community's 24 three-story townhomes. Starting prices range from \$319,990 to \$334,990. The upscale townhomes include a two-car garage, full landscaping, stucco exterior, appliances, granite countertops and an optional deck off the dining room.

## Honnen debuts new Utah home

Honnen Equipment has dedicated its new, state-of-the-art facility in Salt Lake City. Located at 1380 S. Distribution Drive, the building covers 14 acres near the corner of Bangerter Highway and California Avenue. The massive concrete structure is over 60,000 square feet and required 480 loads, or 19 million pounds, of concrete to complete.

Dedicated on June 9, the building has 22 full service bays

spanning 30,000 square feet, an indoor wash bay and a parts warehouse that can accommodate more than 10,000 parts.

At the dedication event, Mark Honnen, president of Honnen Equipment, said, "This new location further demonstrates our commitment to the construction industry, especially our customers and our employees in the Salt Lake City market."

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**GOED**

*from page 1*

not only offers an extremely attractive combination of hard-working and well-educated workers, but also visionary government leaders that have created an ideal environment for economic development.”

Mitch Mackoff, chief financial officer, told the GOED board that the expansion will be the first big move for the company outside of Boston and that the quality of college graduates was an important factor in the decision.

“We focus primarily on hiring college-degree individuals in nontechnical degrees, so it’s a bit different than what a lot of other companies do,” Mackoff said. “We really focus on those people who are not necessarily in technology or IT but have the other undergraduate degrees that are just as important but there are fewer job opportunities.”

Armed with a \$313,524 state incentive, CSM Bakery plans to add a new cookie line to its offer this year and plans to double its current Pleasant View facility’s size over the next six years.

“We think that this is a good opportunity for the rural part of the county,” Oldroyd said, adding that the company also had considered Colton, California, and Sugarland, Texas, for the \$30.4 mil-

lion expansion.

The project is expected to result in new total wages of \$12.6 million over six years and new state tax revenue of nearly \$1.6 million in that same period.

CSM is one of the largest baker products manufacturers in North America. It has more than 2,800 employees in 11 manufacturing facilities and two research and development centers. Its products include cakes, cookies, brownies and other sweets, and its products come in varying formats, including finished goods, ready-to-bake items and baking components. Major customers include grocers, food retailers, bakeries and food service companies.

People interested in working for CSM can access [csmbakery-products.com](http://csmbakery-products.com), hover their mouse over the “About Us” tab and then click on “Careers.” ue

**Airy sold, will relocate to Mass.**

Particles Plus Inc. of San Francisco has acquired Orem’s Airy Technology Inc., a manufacturer of handheld and remote particle counter technology. With operations in Japan and China, Airy Technology’s headquarters will relocate to Stoughton, Massachusetts, where it will continue to operate

“This is the first of several steps that will take Particles Plus

**\$500,000 in grants available for Utah healthcare startups through HealthBox Accelerator Program**

Chicago-based HealthBox has opened an office in Salt Lake City and announced the launch of the HealthBox Accelerator Program to help healthcare startups in Utah. Utah entrepreneurs and inventors can apply to receive one of ten \$50,000 investments in their companies to be handed out this fall.

Startup businesses interested in being considered for admittance into the program have until July 20 to submit their application through [www.HealthBox.com](http://www.HealthBox.com).

The HealthBox Accelerator Program was launched in January 2012 by HealthBox as a way of identifying and supporting new healthcare businesses and helping them transform their innova-

tive ideas into products and services ready for market. More than 50 companies have already gone through HealthBox Accelerator Programs in Chicago, Boston, Nashville, Florida and London, England.

“Accepted companies typically receive a \$50,000 seed investment, expert mentoring and advice, and gain access to our local and national network,” said Andrew Laver, HealthBox vice president. “Through our upcoming three-month program, we will help companies develop a stronger product, a more effective team and a clearer path to revenue. Of the 50-plus companies that have completed the HealthBox Accelerator Program, over 80 percent are generating revenue or have closed additional funding within six months. Additionally, over 200 pilot relationships with potential customers and partners have been launched by these firms.”

HealthBox opened its Salt Lake City office in June and the Salt Lake HealthBox Accelerator Program is its first to be held west of Chicago. Laver leads the HealthBox operations in Utah and he is a cofounder and the managing director of Salt Lake Life Science Angels.

HealthBox announced the closing of a \$7 million round of funding in April with funds coming from Intermountain Healthcare and other investors including Health Care Service Corp., the operator of BlueCross BlueShield plans in Illinois, Montana, New Mexico, Oklahoma and Texas; and Chicago Pacific Founders, a healthcare-focused strategic investing firm led by Mary Tolan and Larry Leisure.

“To increase quality and service while containing costs, we need to expand our thinking and partner with new solutions to drive real systemwide improvements,” said Bert Zimmerli, Intermountain Healthcare’s chief financial officer and executive vice president. “Through the accelerator, Intermountain Healthcare will be a resource for the companies on the front lines of innovation, supporting their growth.”

“We are thrilled to expand to Salt Lake City and build relationships with the local community,” said Nina Nashif, founder and CEO of HealthBox. “Utah has one of the fastest-growing economies, and we believe there is a large opportunity to elevate the recognition of the area’s talented healthcare entrepreneurs.”



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# Industry Briefs

## DIRECT SALES

• **MonaVie**, South Jordan, has named **Dan Zhu** as president of Asia Pac. Zhu previously was president of Greater China

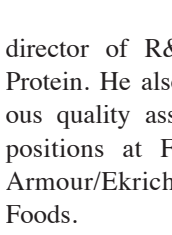


Dan Zhu

for the company. His responsibilities are expanding to include the following markets: Australia, New Zealand, Malaysia, Singapore, Thailand and Korea. Zhu has 18 years of leadership experience in the direct selling industry and has launched and developed markets throughout Asia at other direct selling companies. He joined MonaVie in 2010 as vice president of Greater China. Zhu's education includes a Master of Science degree from Utah State University.

## FOOD

• **Norbest**, Moroni, has named **Hank Huang** as director of research and development. Huang will continue his focus on new product innovation, line extensions, product enhancements and new turkey processes. Huang has 16 years of experience in the food industry,

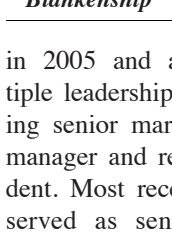


Hank Huang

most recently as director of R&D at Hain Pure Protein. He also has held numerous quality assurance and R&D positions at FMC BioPolymer, Armour/Ekrich and ConAgra Foods.

## HEALTHCARE

• **Supplemental Health Care**, Park City, has appointed Missy Blankenship as vice president of local offices. Blankenship has extensive healthcare staffing experience, having spent nearly 20 years in the staffing and recruiting sectors. She joined Supplemental Health Care as a market manager



Missy Blankenship

in 2005 and advanced to multiple leadership positions, including senior market manager, area manager and regional vice president. Most recently, Blankenship served as senior regional vice president of the Central region. Blankenship also has held leadership and management positions in the staffing industry at companies including Sodexo Alliance, SOS Staffing and Century Personnel.

With Blankenship's appointment, Supplemental Health Care will now move from having four regions to three major operating regions: East, Southwest and West.

## LAW

• **Jordan Wilcox**, a Salt Lake City tax attorney, has launched a website, [www.taxhelput.com](http://www.taxhelput.com),



Jordan Wilcox

to give Utah residents faced with tax debt a resource for information and guidance on possible alternative solutions to their IRS tax burden. The website is written specifically for people faced with tax debt. It offers information that many people do not find out from the IRS on how they can overcome tax problems. Without using jargon or technical terms, the website informs people who are not well versed in tax law on their options and the potential consequences they could face if they do not take action. It also offers a library of articles, blog posts and a news section with the latest happenings in the tax industry.

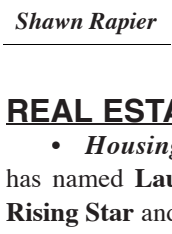
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## MANUFACTURING

• **BodyGuardz**, Lehi, has hired **Shawn Rapier** as executive vice president. Rapier has more than 18 years of industry experience, including roles at iFrogz, Braven and Incipio Technologies.



Shawn Rapier

## REAL ESTATE

• **HousingWire Magazine** has named **Laura Ferris** a **2014 Rising Star** and features Ferris on its July cover. The award recognizes professionals under age 40 who are leaders in their fields. Ferris is vice president of component ser-

vices at Green River Capital LLC (GRC), West Valley City. She has been with the company since 2007 and helped to build the company's auction business, its largest revenue generator in the company's earlier years. The component services division was created to support the new single-family aggregation asset class. Under Ferris' leadership, GRC has conducted individual reviews related to collateral underwriting on assets worth more than \$10 billion since September 2012.



Laura Ferris

• **DigiCert Inc.**, Lehi, and **Health Catalyst** and **DiscGenics**, both of Salt Lake City, have been named to the **Red Herring Top 100 North America**, a list recognizing the continent's most successful private technology companies. Red Herring has been selecting the most exciting and promising privately held technology firms since 1995. Each company in the top 100 is evaluated individually and chosen from among a pool of thousands of candidates based across North America. Winning companies are reviewed against several criteria, including the company's addressable market size, technological innovation and intellectual property, business model, financial performance, management quality, customer footprint and market penetration.

## RECOGNITIONS

• **Remedy Informatics**, Salt Lake City, has hired **Cherie D. Zeringue** as vice president of marketing. Zeringue has held senior-level positions in marketing and management, serving as a counselor to

## RESTAURANTS

• **Dickey's Barbecue Pit** has opened at 12575 S. Rhetski Lane, Suite 103, Riverton. It is owned by Ahmad Vedadi. He previously owned a pizza delivery chain with 16 locations, a fine dining restaurant and a Mexican restaurant. Today, he also owns three Subway franchises. The Dickey's Barbeque chain has more than 400 locations in 40 states.

## SERVICES

• **Spectra Management**, Draper, has hired **Rich Peterson** as a business advisor. His main responsibilities will be to guide and direct the overall client experience through employee benefit package design, carrier negotiation and employee education. Peterson has more than 28 years of experience in the health insurance industry,



Rich Peterson

having spent the last eight years as a producer with The Buckner Co. and nearly 20 years with Regence BlueCross BlueShield. He has worked in various departments, including customer service, medical services, provider relationships and the last 10 years in sales as an account executive.

## TECHNOLOGY/LIFE SCIENCES

• **InsideSales.com** has named **Dave Boyce** as vice president of product marketing. Boyce will oversee global go-to-market strategy for InsideSales.com's suite of sales acceleration solutions. He has more than 20 years of technology strategy and marketing experience across public and private companies. He was vice president of marketing and business development for ProfitLogic. That company sold to Oracle for \$250 million in 2005, and Boyce stayed on for five years as vice president of strategy for the newly formed retail division of Oracle. More recently, Boyce was founder and CEO of Fundly and CEO of ZenPrint. Boyce's education includes a B.A. in German Literature and Philosophy from Brigham Young University.



Dave Boyce

• **Brenner Tank Services LLC** has named **L.W. Miller Truck & Trailer Repair** as an authorized provider of tanker parts, service and warranty repairs in Utah and Wyoming. L.W. Miller Cos., North Salt Lake, has been providing repair service and parts support to customers throughout the western U.S. for the past 26 years. It specializes in the repair of all makes and models of diesel engines; tractors; and chemical, petroleum and crude tank trailers. Brenner Tank Services, part of Wabash National Corp.'s Retail Group, maintains a tank trailer parts and service network to support tank trailer brands including Brenner, Walker, Beall and Bulk.

• **Remedy Informatics**, Salt Lake City, has hired **Cherie D. Zeringue** as vice president of marketing. Zeringue has held senior-level positions in marketing and management, serving as a counselor to



Cherie Zeringue

organizations from small startups to large multinational corporations over the course of her marketing career of more than 20 years. Most recently, she owned and directed a marketing consultancy with clients in the orthotics and prosthetics industry.

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## TRANSPORTATION

• **Brenner Tank Services LLC** has named **L.W. Miller Truck & Trailer Repair** as an authorized provider of tanker parts, service and warranty repairs in Utah and Wyoming. L.W. Miller Cos., North Salt Lake, has been providing repair service and parts support to customers throughout the western U.S. for the past 26 years. It specializes in the repair of all makes and models of diesel engines; tractors; and chemical, petroleum and crude tank trailers. Brenner Tank Services, part of Wabash National Corp.'s Retail Group, maintains a tank trailer parts and service network to support tank trailer brands including Brenner, Walker, Beall and Bulk.

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## DAYLIGHT TIME

from page 1

71 percent of voters prefer to align with Arizona. About 15 percent favor DST throughout the year and about 14 percent prefer keeping the current system.

“One thing that is interesting is that if a person is young or old, their vote is trending to wanting more daylight in the morning. But

if a person is employed, they want more daylight in the afternoon,” said GOED spokesman Michael Sullivan. “It almost is breaking down along workers versus non-workers. If you’re in the workforce, you’re looking to have more daylight available after work.”

Comments about the matter — including time effects on business and workers — vary widely. Some people believe having DST either eight months a year or switching to

it year-round aids workers looking to capitalize on outdoor activities after the workday. Others say various businesses benefit when people are out and enjoying the extra daylight. Several commenters say it’s depressing to come home from work in the dark during the winter.

But others contend that a switch to year-round DST would make it more difficult to do business with people or companies in

other time zones or overseas. Still others contend that such a switch would not be a big deal for businesses and would eliminate the hassles and costs associated with current twice-a-year clock adjustments.

The legislature charged GOED with getting public input on the DST issue when it passed HB197 during this year’s general session. The deadline for voting and commenting is Aug. 30. GOED also will seek input from various organizations — ranging from chambers of commerce to utilities, from public safety to soccer leagues — before presenting the results to the legislature’s Government Operations and the Economic Development and Workforce Services interim committees, which then will decide how to proceed with the matter.

Among comments at the website relating to businesses about the time change are the following:

- “We have a state where the outdoors is some of the best in the nation; to be able to put a full day of work in and then have additional daylight hours to golf, fish, hike, etc., is wonderful and is a boom to our economy.”
- “The only thing that Daylight Saving Time can claim credit for is putting 10,000 drive-in theaters out of business. It has no useful place in modern society.”
- Having sunlight later in the day “benefits the majority of jobs in our current economy.”
- “I find it depressing to go to work and come home from work in the dark during winter months.”
- Time changes screw up people’s body clocks: “Quit messing with our bodies.”
- “I love long evenings after work during the summer.”
- “Recently, while working at an office, I hated going home in the winter dark at 5:00 p.m.”
- “Being an employee who works from 9-5, having as much daylight in the after-hours is the most important factor to me.”

• “Without DST, it’s dark when I leave the office during the winter months.”

• Extra daylight in spring and summer months offers many options for people to spend extra outdoor time with the children and grandchildren after work. “Businesses benefit greatly too, especially those in the food service, entertainment and tourism-type industries.”

• “MDT (Mountain Daylight Time) is only an artifice to enhance the economy for a small segment of business, which can be easily implemented by changing business hours of those groups affected. Leave the rest of us alone. The physical and psychological impact on the human body during the vernal time change on all Utahns is not worth the dollars accrued by a few greedy businesses.”

• DST “has become an inconvenience, especially for those of us who are in the hospitality business who have to explain it to people who live in places without DST.”

• DST “introduces inconsistencies with international and interstate business. ...”

• “Dealing with Arizona during the year is confusing for business and for those interacting with them.”

• “If other states around us move, then we can move. But Arizona alone is not enough of a business partner with Utah to warrant a change.”

• “Arizona is already ostracized for not complying” with times of other “rational” states.

• “The ski areas and golf courses would increase in visitors along with other venues if permanent daylight saving time were instituted. That would improve our economy. Utah would become a business destination rather than a pass-through.”

• “From a business standpoint, ‘spring’ing forward and ‘fall’ing back is costly and time-consuming.”



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## LUND

from page 11

and compound. If they are large, another year or two of growth and compounding could prove beneficial.

**No. 5: Failure to rebalance.** A long-term asset allocation strategy starts with defined percentages. Over time — and it may not take much time — the percentage allocations go out of whack. A bull market may result in a greater percentage of your portfolio assets being held in stock, and while this overweighting may seem reasonable in the near term, it may not be what you want in the long term.

Many investors play the market in one direction, which is up — they buy with expectations that a sector or the broad market will keep climbing. Short selling

stocks (i.e., seeking to exploit falling stock prices) takes more skill than many investors have. A buy-and-hold philosophy may prove very rewarding, as long as you don't hold too rigidly or too long in the event of a sustained, systemic shock to the markets. Rebalancing regularly helps you to avoid overweighting and holding too long.

An even keel promotes a steady course. Fear, greed, bias, randomness, inattention — these are the root causes of the classic investing blunders. We have all made them; patience and experience may help us avoid them in the future.

Mark Lund provides 401(k) consulting for small businesses and investment advisory services for professional athletes and select individuals through Stonecreek Wealth Advisors Inc. in Salt Lake City.



# Calendar

## July 14

**UTC Golf Invitational,** a Utah Technology Council event. Location is Salt Lake Country Club, 2400 Country Club Drive, Salt Lake City. Sponsorships are available. Details are available by calling (801) 568-3500 or at [utahtech.org](http://utahtech.org).

## July 15, 11:30 a.m.-1 p.m.

**"Success Strategies with Email Marketing,"** a Sandy Area Chamber of Commerce "Build Your Business" workshop. Presenter Lisa Smith, founder of 7-Touch Marketing, will discuss why email marketing works, how to know whether your emails are successful, how to get people to open and act on your emails, best practices and expert tips, how to never be considered spam, and best tools and shortcuts. Location is Salt Lake Community College's Miller Campus, Miller Free Enterprise Center Building, Room 223, 9750 S. 300 W., Sandy. Free. Details are at [sandychamber.com](http://sandychamber.com).

## July 15, 11:30 a.m.-1 p.m.

**Business Alliance Luncheon,** a Davis Chamber of Commerce event. Location is Northfront Business Resource Center, 450 S. Simmons Way, Kaysville. Cost is \$13 with lunch. Details are available at [www.davischamberofcommerce.com](http://www.davischamberofcommerce.com).

## July 16, 8:30-10 a.m.

**Morning Jump Start,** a Salt Lake Chamber Women's Business Center (WBC) event. Seminar is designed for all entrepreneurs: those looking to go into business, in early start-up stage or looking to improve an existing business. Seminar is presented by Deb Bilbao, business consultant at the WBC. Location is Salt Lake Chamber, 175 E. 400 S., Suite 600, Meeting Room A, Salt Lake City. Free. Details are at [slchamber.com](http://slchamber.com).

## July 16, 9-10:30 a.m.

**"Business Roundtable: Exploring Market Opportunities in Singapore, Thailand and the Broader ASEAN Region,"** presented by World Trade Center Utah and the U.S. and Foreign Commercial Service. Presenters are Yiu Kei Chan, commercial specialist at the U.S. embassy in Singapore, and Dave Rockwood, president of Rockwood Trading, whose company has offices in Utah and Thailand. Location is World Trade Center Utah, 60 E. South Temple, Suite 300, Salt Lake City. Free. Registration can be completed by contacting Alia Giama at (801) 532-8080 or [agiama@wtcut.com](mailto:agiama@wtcut.com).

## July 17, 11:30 a.m.-1 p.m.

**Thursday Lunch & Learn,**

a Murray Area Chamber of Commerce networking event. Location is Red Rock Brewing, 6227 S. Fashion Place Blvd., Murray. Cost is \$14 for members, \$19 for nonmembers. Details are available at [www.murraychamber.org](http://www.murraychamber.org) or by calling (801) 263-2632.

## July 17, 11:30 a.m.-1 p.m.

**Davis Chamber Luncheon.** Speaker Jared Sholly will discuss "Shooter in the Building. Situational Awareness. What is Going on Around You?" Discussion will focus on setting up for success prior to an emergency. Location is Northfront Business Resource Center, 450 S. Simmons Way, Kaysville. Details are at [davischamberofcommerce.com](http://davischamberofcommerce.com).

## July 23, 7:30-9 a.m.

**"Breakfast of Champions,"** a Sandy Area Chamber of Commerce event. Location and other details to be announced.

## July 28-August 1

**Fifth Annual Extraordinary Leadership Summit.** Event will feature best practice presentations by leadership development executives from Celgene, Deloitte, DirecTV, Renault, Sony PlayStation and the state of Minnesota. Zenger Folkman's leadership development programs will also have a featured role. Location is The Chateaux Resort Deer Valley, 7815 Royal St., Park City. Details are at <http://zenger-folkman.com/extraordinary-leadership-summit/>.

## July 29, 11:30 a.m.-1 p.m.

**Women in Business (WIB) Luncheon,** an Ogden Weber Chamber of Commerce event. Cost is \$18 for WIB members, \$23 for nonmembers. Location is MTC Learning Park, 1750 Monroe Blvd., Ogden. Details are at [www.ogdenweberchamber.com](http://www.ogdenweberchamber.com).

## July 30

**"Setting Goals to Maximize Employee Performance" and "Evaluating Performance to Maximize Results,"** a set of Employers Council (EC) events. "Setting Goals to Maximize Employee Performance" will be from 8-10 a.m. "Evaluating Performance to Maximize Results" is set for 10:30 a.m.-12:30 p.m. Location July 30 is Hampton Inn & Suites, 851 W. 1250 S., Orem. Events will be repeated July 31 at Comfort Suite Hotel, 2250 S. 1200 W., Ogden; Aug. 13 at Bridgerland Applied Technology College, 1301 N. 600 W., Logan; Aug. 14 at The Employers Council, 175 W. 200 S., No. 2005, Salt Lake City; and Aug. 19 at Swaner Preserve & EcoCenter, 1258

Center Drive, Park City. Cost per individual course is \$89 for EC members, \$109 for nonmembers. Cost for both courses is \$150 for EC members, \$190 for nonmembers. Registration form can be downloaded at [http://ecutah.org/2014\\_tt\\_performance.pdf](http://ecutah.org/2014_tt_performance.pdf).

## July 30, 2-5 p.m.

**"I Have My WOSB Certification, Now What?"** a Salt Lake Chamber event. Event features an overview of WOSB and EDWOSB. Location is Salt Lake Chamber, 175 E. 400 S., Suite 600, Meeting Room A, Salt Lake City. Cost is \$10. Details are at [slchamber.com](http://slchamber.com).

## July 31, 11:30 a.m.-1 p.m.

**"Developing and Optimizing a Digital Marketing Plan,"** a Sandy Area Chamber of Commerce "Build Your Business" workshop. Presenter is Tony Passey, assistant professor and lecturer in the Marketing Department of the David Eccles School of Business at the University of Utah and cofounder and managing director of PoleVault Media. He will discuss the current digital landscape and how to decide the right marketing mix for a business. Location is Salt Lake Community College's Miller Campus, Miller Free Enterprise Center, Room 223, 9750 S. 300 W., Sandy. Free. Details are at [sandychamber.com](http://sandychamber.com).

## Aug. 6, 11:30 a.m.-1 p.m.

**"Water is Your Business,"** a Salt Lake Chamber luncheon event. Water Committee will discuss water's impact on Utah's business environment and economic development efforts, as well as how Utah businesses are already leading out on making a difference. Location is Jordan Valley Conservation Gardens Park, 8275 S. 1300 W., West Jordan. Cost is \$25 for chamber members, \$35 for nonmembers.

## Aug. 13, 11:30 a.m.-1 p.m.

**Power Connections Luncheon,** a Sandy Area Chamber of Commerce event. Location is Red Corner China Diner, 46 W. 7200 S., Midvale. Cost is \$15 for members, \$20 for guests. Details are at [sandychamber.com](http://sandychamber.com).

## August 14, 5:30-8 p.m.

**14th Annual Women in Business Summer Social,** a Salt Lake Chamber event. Social will include food, beverages, entertainment, a silent auction and vendor tables. Proceeds will support women's programs at the Salt Lake Chamber through the chamber's 501(c)(3) nonprofit organization, the Women's Business Center (donations are tax-deductible).

Location is Bill and Pat Community Hall, Spencer Fox Eccles Business Building, University of Utah, 1655 E. Campus Center Drive, seventh floor, Salt Lake City. Cost is \$55 (sponsorships are available). Details are at [slchamber.com](http://slchamber.com).

## August 15-16

**• 25th Annual Great Salt Lake Kidney Kamp Truck Show.** Event is organized by a nonprofit organization benefiting the Kidney Foundation of Utah and Idaho and working to improve the public image of the trucking industry. Donations enable more than 200 children who have kidney failure, are on dialysis or are awaiting a transplant to have a camping experience in the Utah mountains. Location is Thanksgiving Point, Lehi. Details are at [www.saltlaketruckshow.com](http://www.saltlaketruckshow.com).

## August 20, 3-5 p.m.

**"The Perfect Plan to Make Social Media Work for You,"** a Salt Lake Chamber event. Presenter is Cat Killfoil, president of the Social Media Club of Salt Lake City, head of brand strategy at Friendemic and blogger at Ski Utah. Location is the Women's Business Center at the Salt Lake Chamber, 175 E. 400 S., Suite 600, Meeting Room A, Salt Lake City. Cost is \$10. Details are at [slchamber.com](http://slchamber.com).

## August 21, 10 a.m.-4 p.m.

**Utah Solutions Summit,** a Salt Lake Chamber event. Summit will be an opportunity for Utah business leaders and government officials to discuss the vast and uncertain regulatory burden under which businesses are required to comply. Event will feature two panel discussions in the morning: one focused on local regulations and featuring city officials, county officials and business leaders to discuss the relationship between regulation and economic development, and another focused on state regulation featuring state legislators, state agency representatives and other business leaders to discuss the same issues. Lt. Gov. Spencer Cox will speak to the group at lunch. Afternoon activities feature industry-specific working groups. Location is Little America Hotel and Towers, 500 S. Main St., Salt Lake City. Cost is \$25, with sponsorships available. Details are at [slchamber.com](http://slchamber.com).

## August 21, noon-1:30 p.m.

**"Success is an Inside Job: Discovering the Proven Success Disciplines of High Achievers,"** a Utah Technology Council (UTC) event. Speaker will be Tiffany Peterson, speaker, international coach and founder of The Lighthouse Principles. Location

is Thanksgiving Point, Garden Room, 3003 N. Thanksgiving Way, Lehi. Cost is \$45. Details are at [www.utahtech.org](http://www.utahtech.org).

## September 15, 1-3 p.m.

**"Academia and Related Export Controls: The Impact & Implications of Compliance and Non-Compliance,"** presented in conjunction with the World Trade Center Utah, Salt Lake Chamber, U.S. Commercial Service and Governor's Office of Economic Development. Event is designed for academic institutions, labs, federally funded research and development centers and any entity doing work that involves foreign nationals and/or foreign persons. It will address key aspects of trade compliance and the consequences and costs of getting it right or wrong in the context of the research community and evolving export control reform. Facilitators are John Priecko, president and managing partner at Trade Compliance Solutions, and David Glynn, of counsel at Holland & Hart LLP. Location is Salt Lake Chamber, 175 E. University Blvd. (400 South), Salt Lake City. Free. Registration deadline is Sept. 12. Registration can be completed by emailing [agiama@wtcut.com](mailto:agiama@wtcut.com). Details are available by calling Alia Giama at (801) 532-8080.

## Sept. 17, noon-1:30 p.m.

**Seventh Annual Women Tech Awards Luncheon,** hosted by the Women Tech Council (WTC). Event will honor 17 technology-focused women who are driving innovation, leading technology companies and contributing to the community. From the 17 finalists, award recipients will be announced. Location is the Grand America Hotel, 555 S. Main St., Salt Lake City. Cost is \$75 for WTC members, \$85 for nonmembers. Tickets can be purchased at [womentechcouncil.org](http://womentechcouncil.org).

## September 24

**Utah Global Forum,** organized by the Governor's Office of Economic Development, World Trade Center Utah and the Salt Lake Chamber. Event will feature presentations titled "Building a Global Brand," "Why Europe, Why Mexico, Why Canada, and Why China Matters to Your Company's Future," "Shared Stories of Success: Striking Gold in Europe, Mexico, Canada and China," "Financing Your Global Expansion" and "Global Operational Efficiency Through Sound Legal, Tax and Accounting Practices." Other details will be announced later. Website is [utah-globalforum.com](http://utah-globalforum.com).



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# Use 'fair enough?' to confirm your sales presentation has been successful

Every salesperson is looking for the fastest way, the best way, and the easiest way to "close" a sale.

More than human nature, for salespeople, closing the sale is both a desire and a need. And the results are totally measurable. Either you win, or you lose. There is no second place in sales.

Many people think that "closing the sale" is the fulcrum point of the process. All of those people are wrong. Closing the sale begins when the sales presentation begins. A sale is not "closed." A sale is earned.

In my career I have learned two powerful words that complete the selling process. They allow me to complete the sale without a feeling of discomfort or hesitancy. When it's time to deliver those words, I know in my heart of hearts the sale is mine.

The two words are: "fair

enough" and they are delivered to the prospect in the form of a question: "Fair enough?"

"Fair enough" is the most powerful phrase to affirm the prospect's intention to buy. You may be erroneously referring to the prospect saying "yes" as "closing a sale." Not good.

"Fair enough" asks for a commitment and validates the value and the fairness of your offer.

If your offer is valuable, or perceived as valuable by the prospect, then the words "fair enough" will always be followed by the prospect's affirmative answer. And vice versa.

The words "fair enough" are also a self-test. Do you perceive that your offer is so valuable that when you ask the prospect, "Is that fair enough?" you know in your mind and in your heart that in fact it IS fair enough. Always ask yourself the "fair enough" ques-

tion BEFORE you give a sales presentation. If you can answer "yes" to your own offer, it's likely the prospect will answer "yes" as well.

The phrase "fair enough" ask for a "yes" and a confirmation to move forward. It is direct, completely understandable and non-manipulative. It doesn't contain the phrases, "Can you see any reason not to move forward?" or worse, "Is there any reason you could not do this today?" Those are old-world, B.S. sales expressions of the worst order.

"Fair enough" is pointed, powerful and positive. And you don't have to wait until the end of your presentation to ask. You can slip it in once or twice as you're presenting to make certain you and the prospect are in agreement and moving forward.

"Fair enough" gives you a transition from your presentation to earning the business.

THINK ABOUT THIS: If you have a bunch of presentation

slides and offer to send some kind of proposal at the end of your presentation, you can never use the words "fair enough." Your job as a salesperson is to figure out how your presentation can culminate with the words "fair enough" and that there's enough perceived value in your presentation for the customer to say, "Yes, that's fair enough."

If the prospect says, "That sounds fair enough," or gives you some form of yes, that's not just a purchase, it's also a report card that your offer was perceived as valuable enough to move forward.

START HERE: Review your entire sales presentation and see where the words "fair enough" fit into it. If there's no place for them, then your offer is most likely not fair enough, and will be met with some kind of resistance or stall.

This review process requires work on your part, and may mean you have to revise your sales presentation. This is a good thing! It will most likely mean you have

to ask more questions, discover what the buying motive of the prospect is, and make certain you have value offerings that are in harmony with their true needs and motives to buy.

If you are able to give prospects the answers they're hoping for, you will have created the ultimate buying experience. Asking the question, "fair enough?" will become a joy. A financially rewarding joy.

I just provided you with a major secret of selling — a secret that, when mastered, has the potential to double your sales and increase your earnings significantly. All you have to do is create a strategy to incorporate it. Fair enough?

Jeffrey Gitomer is the author of 12 best-selling books including *The Sales Bible* and *The Little Red Book of Selling*. His best-selling *21.5 Unbreakable Laws of Selling* is now available as a book and an online course at [www.gitomerVT.com](http://www.gitomerVT.com).

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## Opinion

# Jason Riley's new book is a primer on race in America

Back in the heyday of the British Empire, a man from one of the colonies addressed a London audience. "Please do not do any more good in my country," he said. "We have suffered too much already from all the good that you have done."

That is essentially the message of an outstanding new book by Jason Riley about blacks in America. Its title is *Please Stop Helping Us*. Its theme is that many policies designed to help blacks are in fact harmful, sometimes devastatingly so. These counter-productive policies range from minimum wage laws to "affirmative action" quotas.

This book untangles the controversies, the confusions and the irresponsible rhetoric in which issues involving minimum wage laws are usually discussed. As someone who has followed minimum wage controversies for decades, I must say that I have never seen the subject explained more clearly or more convincingly.

Black teenage unemployment rates ranging from 20 to 50 percent have been so common over the past 60 years that many people are unaware that this was not true

before there were minimum wage laws, or even during years when inflation rendered minimum wage laws ineffective, as in the late 1940s.

Pricing young people out of work deprives them not only of income but also of work experience, which can be even more valuable. Pricing young people out of legal work, when illegal work is always available, is just asking for trouble. So is having large numbers of idle young males hanging out together on the streets.

When it comes to affirmative action, Jason Riley asks the key question: "Do racial preferences work? What is the track record?" Like many other well-meaning and nice-sounding policies, affirmative action cannot survive factual scrutiny.

Some individuals may get jobs they would not get otherwise but many black students who are quite capable of getting a good college education are admitted, under racial quotas, to institutions whose pace alone is enough to make it unlikely that they will graduate. Studies that show how many artificial failures are created by affirmative

action admissions policies are summarized in *Please Stop Helping Us*, in language much easier to understand than in the original studies.

There are many ponderous academic studies of blacks, if you have a few months in which to read them, but there is nothing to match Jason Riley's book as a primer that will quickly bring you up to speed on the complicated subject of race in a week, or perhaps over a weekend.

As an experienced journalist, rather than an academic, Riley knows how to use plain English to get to the point. He also has the integrity to give it to you straight instead of in the jargon and euphemisms too often found in discussions of race. The result is a book that provides more knowledge and insight in a couple of hundred pages than are usually found in books twice that length.

Unlike academics who just tell facts, Riley knows which facts are telling.

For example, in response to claims that blacks don't do well academically because the schools use an approach geared to white students, he points out that blacks from foreign, non-English-speaking countries do better in American schools than black,

English-speaking American students. Asian students do better than whites in schools supposedly geared to whites. In New York City's three academically elite public high schools — Stuyvesant, Bronx Science and Brooklyn Tech — there are more than twice as many Asian students as white students in all three institutions.

So much for the theory that non-whites can't do well in schools supposedly geared to whites.

On issue after issue, *Please Stop Helping Us* cites facts to destroy propaganda and puncture inflated rhetoric. It is impossible to do justice to the wide range of racial issues — from crime to family disintegration — explored in this book. Pick up a copy and open pages at random to see how the author annihilates nonsense.

His brief comments pack a lot of punch. For example, "having a black man in the Oval Office is less important than having one in the home."

Thomas Sowell is a senior fellow at the Hoover Institution, Stanford University. His website is [www.tsowell.com](http://www.tsowell.com).

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# It's identity, not ideology, that is moving the world

July 4th, for me, is one of those special American holidays that are celebrations not of religion, ethnicity or sect, but rather of freedom and of America's unique national identity that is based on it. But around the world these days we're seeing the rise of another kind of nationalism, one that can be darker and more troubling.

In the recent elections for the European parliament, nationalist, populist and even xenophobic parties did extremely well. The UK Independence Party beat out all the established parties. France's National Front won handily against the ruling Socialist Party. In Greece, the quasi-fascist Golden Dawn won half-a-million votes, awarding it seats in the European Parliament for the first time.

Many commentators have explained the rise of these parties as a consequence of the deep recession and slow recovery that still afflict much of Europe. But similar voting patterns can be seen in countries such as Austria, Denmark, the Netherlands, Finland and Sweden, which are thriving economically. And the parties that do well center their agendas not on economics but on immigration and other expressions of nationalism.

You can see this rise of nationalism not just in Europe but around the world. Consider Japanese Prime Minister Shinzo Abe's plan to reinterpret his country's pacifist constitution. Leaders such as Vladimir Putin in Russia, Recep Tayyip Erdogan in Turkey and Xi Jinping in China have made appeals to nationalism a core part of their

agenda and appeal.

There is, of course, a healthy nationalism that has often been part of the expansion of liberty and democracy. Britons and Americans take pride that their countries embody values they hold dear. Poles and now Ukrainians take pride in their struggles for independence and success. But today we seem to be witnessing mostly a different kind of nationalism, based on fear, insecurity and anxiety. And, as the philosopher Isaiah Berlin has noted, like a bent twig, this kind of nationalism always springs back with a vengeance.

Why is this happening now? One explanation is that as globalization and technological revolutions race ahead and transform the world, people feel uneasy with the pace of change, and search for something they can hold onto as a source of succor and stability. If the bond is strongest at the level of the nation, nationalism surges. But if the national project is fragile or viewed as illegitimate, then you see the pull of older, deeper forces. From Catalonia to Scotland to the Middle East, sub-national identities have taken on new meaning and urgency.

It is a strange mixture of insecurity and assertiveness. People worry that their society is changing beyond recognition, and that they are being ruled by vast, distant forces — whether the European Union in Brussels, the International Monetary Fund, or the federal government in Washington — that are beyond their control. And by people who do not share their values.

In the United States, we do see one par-

allel. The rise of the Tea Party fits this pattern. After exhaustive research, the scholars Vanessa Williamson and Theda Skocpol concluded that immigration was a central issue — perhaps the central issue — for Tea Party members, something that has been reinforced by House Majority Leader Eric Cantor's loss in his primary election. "I don't recognize my country anymore," say Mike Huckabee, Glenn Beck and many others on the right. The same line could be repeated by every one of those European nationalists who won in the polls in May.

In an age of globalization, elites have

discussions that are about political ideology — more government, less government — but, as Samuel Huntington noted many years ago, the bottom-up force that seems to be moving the world these days is political identity. The question that fills people with emotion is "Who are we?" And, more ominously, "Who are we not?"

Even in America, even on July 4th.

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## Opinion

# Bad investing strategy: A foot on the gas, the other on the brake

As a financial strategist and retirement planning specialist for more than 40 years, I have seen plenty of people going down the highway of life, trying to achieve financial independence as their destination — but they have one foot on the gas pedal and the other on the brake. And the worst part? They have no idea. They think they are cruising at optimal speed toward a bright retirement.

They, like millions of Americans, have invested in traditional retirement accounts like 401(k)s and IRAs. They love the idea of getting a tax break on the front end, thinking, “I want to defer taxes so I can put as much money as possible into the nest for now, and enjoy a nice plump egg when I retire.” Foot on the gas, right?

But there's something they don't realize until it's often too late: They will likely end up in as high or higher a tax bracket after retirement. Why? It's due to something I call the “tax deduction reduction.” In the mature stage of life, they can no longer claim dependents, and they've lost those business-related deductions they had while working.

But that's not the only thing slowing them down. People often send in extra principal payments against their mortgage, trying to get rid of that debt as quickly as possible. (As a side note, this actually isn't the quickest or smartest way to get out of debt — but that's another topic for another day.) By paying down their mortgage, they are essentially killing their partner Uncle Sam in the process. All the mortgage interest deductions they used to take on their Schedule A? Gone. And the result of fewer tax deductions can be shocking.

For example, I had a school teacher come to me wondering how she had ended up in a higher tax bracket than she had planned for. Her defined benefit pension was only 60 percent of what she earned when she was teaching, so she thought she would be in a lower tax bracket. But she had Social Security on top of that, and she had killed all her deductions. She was paying as much or more in income tax in retirement as when she taught school. And then when she took money out of her 401(k), 403(b) and tax-sheltered annuities, she was in the highest bracket she had ever been in in her life. She paid back every dime in tax in the first two or three years of retirement she had ever saved over 30 years on the contribution years.

That's because she had paid off her house, so she didn't have that deduction anymore. She no longer was putting money

into tax-deferred accounts, so she didn't have that deduction. She didn't have any child or dependent deductions.

She thought she had been doing everything right, and according to a lot of the traditional advice, she was. But the reality of higher taxes on the back-end is unavoidable for most people. Just like her, too many people have one foot on the gas and one on the brake. And they sadly find themselves running out of fuel — outliving their money before reaching their destination.

I suggest you don't go down the highway like that. There are better ways to do it. You don't want to be in a lower tax bracket during your retirement years because you don't have any income. Many successful entrepreneurs that I have coached have \$1 million dollar nest eggs that generate as much as \$80,000-\$100,000 per year of tax-free income without depleting their principal. In fact, I've counseled many on how to transfer as much as \$50,000 to \$80,000 per year out of their IRAs and 401(k)s with no tax consequence by maintaining or creating new tax deductions.

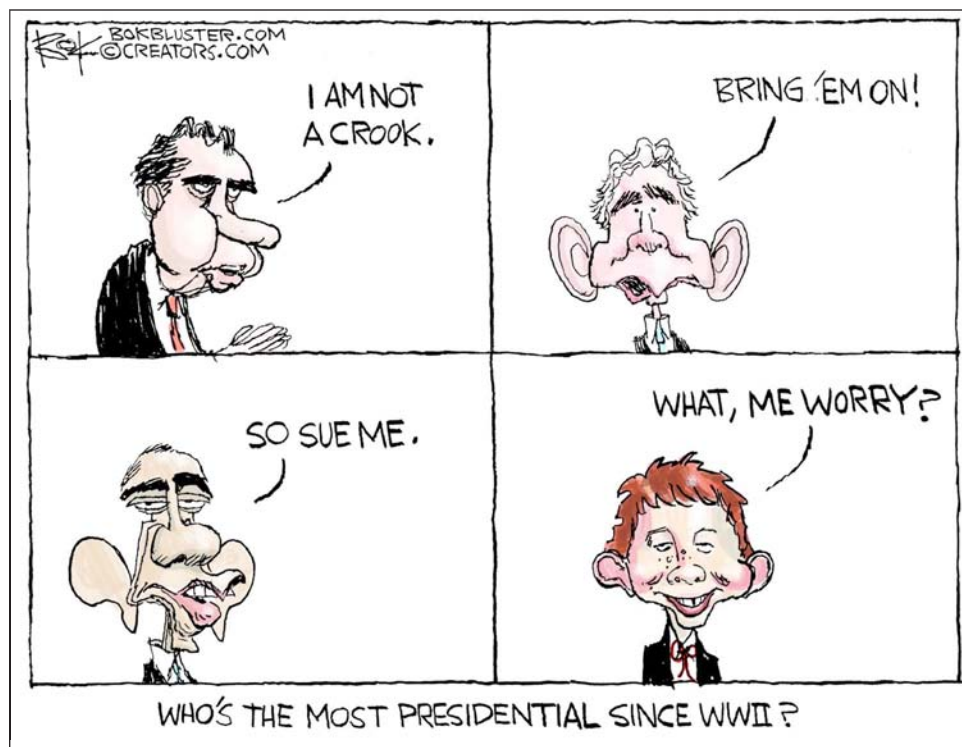
How does this concept relate to Social Security? Unfortunately many retirees miss out on their fair share of Social Security benefits. There are numerous options regarding how and when to take Social Security income. For example, it may be wise with some married couples for the wife to take her Social Security benefits starting at age 62 which allows the husband to then take a spousal benefit (which many people don't realize, and thus they miss out on as much as \$30,000 to \$50,000 of benefits). Occasionally I suggest the husband use this spousal benefit — which often is newly “found money” — to fund a \$500,000 up to a \$1 million life insurance policy that would provide much more for his wife in the event of his death. Then when the husband turns age 70, he can then start his maximum Social Security benefits and the wife can take her spousal benefit (if it exceeds more than her Social Security income that she started at age 62). Often people don't know what they don't know — because you can't be aware of something you're not aware of.

Take the time to explore alternatives that will allow you to optimize assets, minimize taxes and empower your wealth so you can achieve financial independence much more safely, quickly and with peace of mind for the final legs of your journey.

Douglas R. Andrew is a best-selling author, radio talk show host and abundant living coach.



DOUG ANDREW



## Classic mistakes: How many can you keep yourself from making?

Year after year, in bull and bear markets, investors make some all-too-common blunders. They have been written about, talked about and critiqued at some length — and yet they are still made. You can chalk them up to psychology, human nature, perhaps even a degree of peer pressure. You just don't want to find yourself making them more than once.

**No. 1: Caving into emotion.** The deVere Group, which consults high net worth investors around the world, recently surveyed 880 of its clients and found that even with their experience, some had made the equivalent of a rookie mistake — 20 percent had let fear or greed prompt them into emotional investment decisions.

Investors use past performance to justify their greed — it did well recently, I better buy more of it — but past performance is merely history and represents a micro factor versus macroeconomic factors influencing sectors and markets. Fear prompts panic selling. How many investors draw on technical analysis or even stop-loss limits when shares suddenly decline? A stop-loss limit is handy for those who don't want to watch the market every day — it instructs a brokerage to sell a stock if it drops below a specific value, often in the range of 8-10 percent of the purchase price.

**No. 2: Investing without a strategy.** Some people invest with one idea in mind — making money. An outstanding goal to be sure, but it shouldn't blind them to other priorities such as tax efficiency, managing risk and reviewing asset allocation. Even 22 percent of the investors in the deVere poll confessed to this.

**No. 3: Not diversifying enough.** Have you ever heard the phrase “familiarity bias?” This is when investors develop a “home team” attachment to an investment.

Just as sports fans stick by the Celtics and the Cornhuskers and the Cubs through thick and thin, some investors stick with a few core investments for years. Maybe they work for XYZ Co. or their mom did, or maybe they like what XYZ Co. represents, so having a certain percentage of the portfolio in shares of XYZ Co. gives them a good feeling. If XYZ Co. craters, they won't feel so good. You can hold too much of one investment, especially if a company rewards you with its stock.

Conversely, some portfolios are over-diversified and hold too many investments. This is seldom the fault of investors; over time, they may end up with some shares of all the major companies in an industry group with a little help from Wall Street money managers. The core problem here is that not all of these companies can be winners.

**No. 4: Slipshod tax management of investments.** Sometimes certain investments within a taxable account will lose money, yet because of past gains they have made, the investor is stuck with capital gains tax. Some investments are better held in taxable accounts and others in tax-deferred accounts, as various types of investments are taxed at varying rates. When you retire and tap into your savings, you can potentially improve tax efficiency by drawing down your taxable accounts first, so that you'll face the capital gains tax rate (which may be 15 percent or even 0 percent) instead of the ordinary income tax rate.

Also, when you pull money from your taxable accounts first, your tax-advantaged accounts get a little more time to grow



MARK LUND



# Trade secrets are among your most valued assets - protect them

When it comes to intellectual property, most people's knowledge begins and ends with patents. While patents are important for protecting your inventions, most companies have not invented anything, yet they still own intellectual property that needs to be protected.

For example, their companies' names and logos are trademarks and some may copyright their written work. And most companies have trade secrets, which include any confidential formula, list, process, information or method that gives them a competitive edge over the competition. For some companies, the most valuable assets are their trade secrets. Yet, most do little to protect them from being stolen or inadvertently disclosed. A good trade secrets policy can minimize the chances of that happening. While there is no one-size-fits-all policy, the following discussion lays out the basics of protecting your company's trade secrets.

## What are trade secrets?

What constitutes a trade secret depends on the business. Trade secrets can consist of a company's source code, client lists, sensitive marketing information, unpatented inventions, techniques, customer names and contact information, customer email lists, vendor lists, distributor lists, recipes, know-how, formulas, supplier lists, re-

newal dates, salaries, pricing and a host of other things that are or can be trade secrets. Even compilations of publicly available information gathered for a proprietary purpose can and should be protected as a trade secret. For example, a list of all your vendors can be a trade secret that you want to keep out of the hands of your competitors.

Information is more likely to be considered a trade secret if it is: (a) valuable; (b) known only by employees and others involved in the business; (c) difficult for others to ascertain or independently duplicate; and (d) the subject of efforts that are reasonable under the circumstances to maintain its secrecy.

Trade secrets are most at risk from being breached by employees who are lured away by a competitor or who decide to start their own competing business. In some instances, an employee stays late to copy documents containing trade secrets prior to his departure. Or, in one instance, a new client came to see me after one of his supervisors wrongfully copied his customer list prior to his termination through an unsuspecting employee. The supervisor tricked a new employee, who was his subordinate, into forwarding the customer list to him for "work" purposes. In other situations, employees

often leave a job with a wealth of trade secret knowledge stored in their heads only to be unloaded at their new jobs. Such theft of trade secrets can be the basis for an injunction against the employee and the new employer. But, anyone who has ever been involved in a lawsuit knows that they are costly and should be avoided if possible. Most trade secret theft can be avoided before it happens. It starts with a good trade secrets policy.

## Identify and mark your trade secrets

The first step to protecting your trademarks is to identify your proprietary information and the risk of loss. Categorize the importance of the information and think through the various ways in which the information can be breached intentionally or disclosed inadvertently. Make a list of the employees who have access to your proprietary information. Do those employees know who they can or can't share the information with or who else is authorized to access the information?

You should outline your company trade secret policy in your employee handbook. It should detail the importance of keeping information confidential and how it can hurt the company when secrecy is breached. Your policy should articulate how the company determines what is confidential information and the procedures for protecting it, highlighting the employees' role in that process. Em-

ployees must understand the collections of information that the company considers to be trade secrets. Disclosure should require two or more signatures to prevent a supervisor from wrongly obtaining the information through intimidation of a subordinate. You may want to institute a procedure that the employee who has access to the proprietary information must notify you personally and obtain your written approval before disclosing it to anyone, including a supervisor.

You should limit the people who need to know and make it inaccessible to anybody who does not need to know by using a safe, or for computer files, password protection. Change the passwords often. If the trade secret is a process or formula, some companies fragment the process so that no one employee knows it from beginning to end. KFC, for example, separately mixes parts of its "11 herbs and spices" at two locations.

Once the trade secrets are identified, they should be marked as CONFIDENTIAL with labels, headers and footers. Once the material has been labeled as confidential, the next step is simply to keep it secret.

You should institute periodic training and email reminders to remind employees of the information that constitutes trade secrets of the business. Employees with access to proprietary information should

sign confidentiality, nondisclosure and or non-compete agreements. However, you should not rely on a non-compete agreement as courts are growing less likely to enforce them. Some courts, such as California courts, refuse to enforce them altogether, with few exceptions.

Putting safeguards in place not only protects your trade secrets but also shows interested parties, such as judges and juries, that you tried to protect it, should a dispute ever come to litigation. A trade secret is protected by law only when the owner has, as the Utah Uniform Trade Secrets Act puts it, made "efforts that are reasonable under the circumstances to maintain its secrecy." Therefore, you must be able to clearly show that you recognized it as a trade secret and took measures to protect it should it ever be necessary to protect your trade secrets through litigation.

In conclusion, it is important to understand that trade secrets are often the company's most valuable treasures. It is essential to establish a policy that protects your trade secrets from being disclosed to a competitor, whether intentionally or inadvertently. Therefore, you should immediately begin building a Fort Knox-like fortress around your trade secrets.

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Ashley Peck is an attorney in the Salt Lake City office of Holland & Hart LLP. She assists commercial and industrial property owners in litigation regarding properties affected by environmental contamination, including pursuing cost recovery and defending toxic tort actions. She also regularly assists clients in navigating the regulatory hurdles of developing and managing contaminated properties. Additionally, Ms. Peck has represented clients before municipal hearing examiners on land use issues. Her experience also includes environmental due diligence in complex, multi-jurisdictional real estate transactions.

Prior to practicing in Utah and joining Holland & Hart, Ms. Peck practiced at K&L Gates LLP in Seattle, Washington. She currently serves as a board member of Women Lawyers of Utah and the East Bench Community Council, and is a Vice Chair of the ABA Superfund Litigation Committee.

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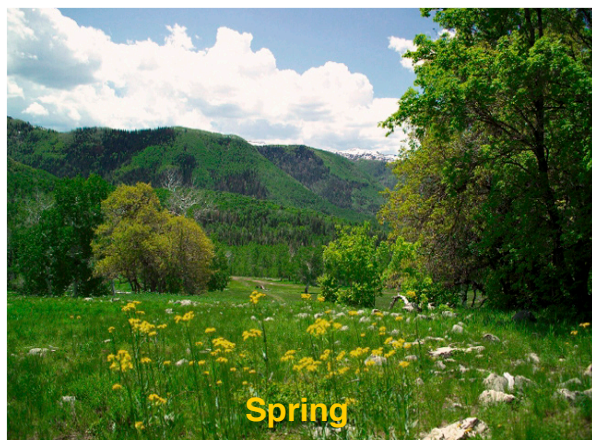
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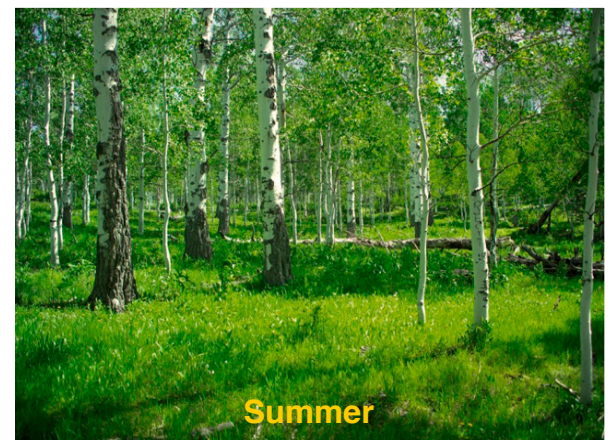


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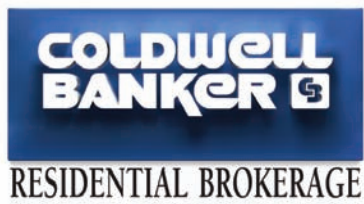
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