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## AGENCY REVIEW

# TOURISM OFFICE

## WEST VIRGINIA DEPARTMENT OF COMMERCE

### AUDIT OVERVIEW

The Tourism Office Is Transitioning From the Matching Advertisement Partnership Program to a Cooperative Advertisement Program

The Tourism Office Does Not Maintain a Comprehensive Tourism Promotion and Development Strategy

The Tourism Office's Website Score High on User-Friendliness but Could Use More Improvements for Transparency

The Department of Commerce's Website Needs Substantial Improvement



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*Note: On Monday, February 6, 2017, the Legislative Manager/Legislative Auditor's wife, Elizabeth Summit, began employment as the Governor's Deputy Chief Counsel. Most of the actions discussed and work performed in this report occurred prior to this date. Thus, the Performance Evaluation and Research Division does not believe there are any threats to independence with regard to this report.*



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## EXECUTIVE SUMMARY

The Legislative Auditor conducted a review of the West Virginia Tourism Office, pursuant to the West Virginia Performance Review Act, Chapter 4, Article 10, Section 8, of the *West Virginia Code*. The objectives of this review were to evaluate the Matching Advertising Partnership Program and provide an overview of the new cooperative advertising program, evaluate the status of the comprehensive tourism promotion and development strategy, and to evaluate the websites of the Tourism Office and the Department of Commerce. The findings of this review are highlighted below.

### Report Highlights

#### **Issue 1: The Tourism Office Is Transitioning From the Matching Advertisement Partnership Program to a Cooperative Advertisement Program.**

- During the 2017 regular legislative session, the Legislature eliminated the Matching Advertisement Partnership Program (MAPP), a program that provided matching grants for direct tourism advertising. MAPP was replaced with a cooperative advertising program. The Tourism Office provided grants to the last 25 MAPP applicants in March 2017.
- The Tourism Office supported the elimination of MAPP citing a previous PERD audit that revealed issues with the reimbursement process and tracking data of funds. Additionally, the Tourism Office stated that cooperative advertising programs are being used by many states such as Michigan, Texas and North Carolina.
- The Tourism Office stated that the cooperative advertising program authorizes greater regional cooperation for advertising, allows for increased oversight and performance analysis, and will enable the agency to purchase advertising at a higher volume and reduced rates compared to individual advertisers buying individual placements.
- The Tourism Office intends to present the cooperative advertisement program to the public in October 2017. The Legislative Auditor recommends revisiting this issue in the future.

#### **Issue 2: The Tourism Office Does Not Maintain a Comprehensive Tourism Promotion and Development Strategy.**

- *West Virginia Code §5B-2-9* required the Tourism Office to develop and implement of a comprehensive tourism promotion and development strategy. Senate Bill 535 replaced this section of Code with *West Virginia Code §5B-2I-4*. This new legislation maintains much of the same language as the repealed section while expanding some aspects of the strategy.

- The Tourism Office does not currently operate under a comprehensive tourism promotion and development strategy. The Tourism Office maintains an advertising strategy (discussed in the first issue), but this is only a component of what is supposed to be included in the comprehensive strategy.
- The Tourism Office stated that it is aware of the significance of the strategy and intends to present one at the 2017 Governor’s Conference on Tourism.
- The Legislative Auditor recommends that the Tourism Office complete and implement the comprehensive strategy outlined in state Code.

### **Issue 3: The Tourism Office’s Website Scores High on User-Friendliness but Could Use More Improvements for Transparency.**

- PERD’s evaluation of the Tourism Office’s website revealed that overall it has 58 percent of important features that promote user-friendliness and transparency. However, the website scored high (83 percent) in user-friendliness but relatively low (44 percent) in transparency.
- Given that the Tourism Office’s primary responsibility is to market the state, a high score in user-friendliness is expected. However, transparency features are also important. The Legislative Auditor recommends several features that would increase the website’s transparency.

### **Issue 4: The Department of Commerce’s Website Needs Substantial Improvement.**

- The Department of Commerce’s website functions as a portal to access the eight agencies under its purview. However, it is the only page of the website and it provides virtually no information about the Department.
- The Department’s website scored only two percent of important user-friendly and transparency features. Consequently, the Department of Commerce needs to make substantial improvements to its website to become more user-friendly and transparent.

## **Recommendations**

1. *The Legislative Auditor recommends that the cooperative advertising program be evaluated when there are ample data for analysis.*

2. *The Legislative Auditor recommends that the Tourism Office develop and adhere to a comprehensive tourism promotion and development strategy per statutory requirements.*
3. *The Legislative Auditor recommends that the Tourism Office make pertinent changes to its website to provide more transparency of the agency's mission and duties.*
4. *The Legislative Auditor recommends that the Department of Commerce make substantial improvements to its website.*

### **PERD's Evaluation of the Tourism Office's Written Response**

The Office agrees with recommendations in all issues. The strategic plan will be developed and the website recommendations have been addressed. The Office reported that the Department of Commerce's website is out of the Office's control but that the Department will continue to revamp the website. The Cabinet Secretary has requested the Office assist in this effort. The Office's response can be seen in Appendix E.



## ISSUE1

### **The Tourism Office Is Transitioning From the Matching Advertisement Partnership Program to a Cooperative Advertisement Program.**

#### **Issue Summary**

Since 1995, the West Virginia Tourism Office has been tasked with coordinating the disbursement of funds for tourism advertisement within the state. *West Virginia Code §5B-2-12* stipulates that the money for advertisement shall be taken from the Tourism Promotion Fund. In response to this legislation, the Tourism Office (at that time, the Division of Tourism), developed and implemented the Matching Advertising Partnership Program (MAPP). Drawing from the Tourism Promotion Fund, MAPP provided matching funds to direct advertising projects for increasing visitation and travel expenditures.

However, during the 2017 legislative session, the Legislature passed Senate Bill 535 (West Virginia Tourism Act of 2017), which had profound effects on the Tourism Office. Not only did SB 535 rename the agency the Tourism Office and restructure some of the agency's operations, but it also effectively terminated the MAPP. Effective July 1, 2017, the Tourism Office will only continue the MAPP program until all outstanding grants or other financial obligations have been closed. The Tourism Office was tasked with developing and implementing a cooperative advertising program.

The cooperative advertising program allows the Tourism Office to purchase and maintain advertising campaigns, which outside groups can then buy into. The Tourism Office reported that this model will permit greater flexibility to adjust advertising based on data metrics, as well as promote regional integration. As there is currently no available data on the cooperative advertising program, the Legislative Auditor recommends returning to this issue later.

### **The Matching Advertising Partnership Program Did Not Effectively Measure the Performance Outcomes of Advertising Projects.**

Since 1995, the Legislature acknowledged that an effective advertising campaign is instrumental in bolstering West Virginia tourism. *West Virginia Code §5B-2-12(c)* stated that “*The balance of the moneys deposited in the [Tourism Promotion] fund shall be used*

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*Effective July 1, 2017, the Tourism Office will only continue the MAPP program until all outstanding grants or other financial obligations have been closed.*

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for direct advertising within the state’s travel regions as defined by the [Tourism] commission.” Additionally, within this statute, the Legislature gave the Tourism Commission the authority to promulgate legislative rules. Using these funds, the Tourism Commission disbursed matching grants for direct advertising with the intention of increasing visitation and travel expenditures. Applicants could apply for funds in one of three funding levels: large, small, and fairs and festivals. Large grants were for projects that are at least \$20,000, with a \$175,000 cap for requested state funds. For these grants, the Tourism Office reimbursed 50 percent of the cost of advertisement. Small grants were for projects that did not exceed \$10,000, with the Tourism Office reimbursing 25 percent of the cost. Fairs and festivals, like small grants, must not have exceeded \$10,000, but the Tourism Office reimbursed 50 percent of the cost. MAPP has been in effect since 1995, but Senate Bill 535 passed in the 2017 legislative session ending the program effective July 1, 2017. The Tourism Office provided matching grants to the last 25 applicants during March 2017 and will continue to monitor these and any other outstanding grants until they are closed. Table 1, below, provides the total amount of funds disbursed under the MAPP from fiscal years 2014 to 2016.

*The Tourism Office provided matching grants to the last 25 applicants during March 2017 and will continue to monitor these and any other outstanding grants until they are closed.*

<b>Fiscal Year</b>	<b>Fairs and Festivals</b>	<b>Small Grants</b>	<b>Large Grants</b>	<b>Total MAPP Grants</b>
<b>2014</b>	<b>\$16,610</b>	<b>\$111,656</b>	<b>\$2,481,292</b>	<b>\$2,609,559</b>
<b>2015</b>	<b>\$26,916</b>	<b>\$71,805</b>	<b>\$1,848,900</b>	<b>\$1,947,623</b>
<b>2016</b>	<b>\$4,238</b>	<b>\$76,957</b>	<b>\$1,278,602</b>	<b>\$1,359,798</b>
<b>Total</b>	<b>\$47,765</b>	<b>\$260,418</b>	<b>\$5,608,795</b>	<b>\$5,916,980</b>

*Source: PERD analysis of Tourism Office’s MAPP grant disbursements.*

The Legislative Auditor asked the Tourism Office why MAPP has been terminated and replaced with a cooperative advertising program. The Tourism Office responded:

*We asked the Legislature to enable us to transition from MAPP, an antiquated, bureaucratic grant reimbursement program, to a cooperative model that’s being used by states across the country... We were aware that there were issues with the reimbursement process identified by past PERD audits and are striving to set up a program that will address those issues.*

The PERD report referred to above was published in 2010. The report indicated that MAPP applicants and data were not being tracked for the purpose of identifying trends for which to determine spending on repeated advertising projects. Moreover, the report identified “... *that improvements needed to be made to ensure that the tracking data submitted by all applicants is more representative of the actual outcomes of advertising projects.*” “*This,*” the report concludes, “*will enable the Division to better evaluate applications in order to ensure the most cost-effective allocation of funds.*”

## **The Cooperative Advertising Program Authorizes Regional Cooperation, Increased Oversight, and Performance Analysis.**

Having acknowledged the shortcomings of the MAPP, the Tourism Office researched advertisement programs in other states (particularly Michigan, Texas, and North Carolina) for input on possible reforms. The Tourism Office determined a cooperative model—one “*being used by states across the country*”—would be most effective. The Legislature responded to the Tourism Office’s request to transition into this model in Senate Bill 535 (The West Virginia Tourism Act), which mandated the transition from the MAPP to a cooperative model. The new section, *West Virginia Code §5B-2I-6(c)*, outlines the design of the cooperative model:

*...replaced by a cooperative advertising program to be created and established by the West Virginia Tourism Office, under and pursuant to section four of this article, to offer, facilitate and allow participation in the West Virginia Tourism Office’s advertising and marketing campaigns and activities, to state agencies, departments, units of state or local government, private tourism enterprises and other persons, entities or private enterprises, including, without limitation, convention and visitors’ bureaus. The Executive Director of the West Virginia Tourism Office shall establish and publish a fee schedule, which shall include a match of state funds to program participant’s funds, for participation in the cooperative advertising program.*

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*Having acknowledged the shortcomings of the MAPP, the Tourism Office researched advertisement programs in other states (particularly Michigan, Texas, and North Carolina) for input on possible reforms. The Tourism Office determined a cooperative model—one “being used by states across the country”—would be most effective.*

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The Tourism Office has complied with this mandate and plans to release this new program in late October at the 2017 Governor's Conference on Tourism. Similar to the MAPP, moneys for the program will be drawn from the Tourism Promotion Fund. Per Code requirements, surplus funds at the end of a fiscal year will not return to the State General Revenue Fund, but will remain within the Tourism Promotion Fund. Additionally, *West Virginia Code §5B-2I-4(e)* permits the Tourism Office to engage and maintain an advertisement and marketing agency. Under Division of Purchasing guidelines, Digital Relativity was selected to work with the Tourism Office in 2015; this company was renewed twice and will be retained until 2018.

When asked by the Legislative Auditor why this transition will be beneficial for the Tourism Office and West Virginia's Tourism industry, the Tourism Office provided three reasons:

- (1) *The Tourism Office will be able to buy advertising at a higher volume at reduced rates compared to individual advertisers buying individual placements;*
- (2) *advertising purchased through the cooperative program will be more coordinated both in terms of placement and message; and*
- (3) *reporting of advertising effectiveness analytics will be more coordinated and consistent because the Tourism Office will have direct access to these metrics, allowing us [Tourism Office] to react and adjust during campaigns.*

In sum, these justifications for the cooperative model illustrate that the Tourism Office has been receptive to the findings in 2010 PERD report. However, there exists no data yet with which to measure the effectiveness of the cooperative advertising program. While the MAPP was phased out on July 1, 2017, the first public offerings for the cooperative program will not be presented until October 2017 at the Governor's Conference on Tourism. The Legislative Auditor is hopeful that the cooperative advertising program will have the desired effects, but recommends revisiting this issue for a data-driven analysis in the future.

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*While the MAPP was phased out on July 1, 2017, the first public offerings for the cooperative program will not be presented until October 2017 at the Governor's Conference on Tourism.*

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## Conclusion

Until July 2017, the Tourism Office administered the Matching Advertisement Partnership Program, which functioned as a reimbursement program for entities seeking financial assistance for tourism advertisement. The West Virginia Tourism Act of 2017, passed during the 2017 legislative session, effectively terminated the MAPP and mandated the Tourism Office to develop and implement a cooperative advertisement program. In compliance, the Tourism Office intends to present this cooperative advertisement program to the public in October 2017. The Tourism Office is hopeful that the new program will lower the cost of advertising, provide data metrics for evaluation, and provide for coordinated advertising. As there are no available data on the program, the Legislative Auditor should revisit this issue at a later date.

## Recommendation

1. *The Legislative Auditor recommends that the cooperative advertising program be evaluated when there are ample data for analysis.*

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*The Tourism Office is hopeful that the new program will lower the cost of advertising, provide data metrics for evaluation, and provide for coordinated advertising. As there are no available data on the program, the Legislative Auditor should revisit this issue at a later date.*

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## ISSUE 2

### **The Tourism Office Does Not Maintain a Comprehensive Tourism Promotion and Development Strategy.**

#### **Issue Summary**

A thriving tourism industry is critical for providing revenue for both the private and public sector. In seeking to improve the state's tourism environment, legislation calls for the development of a comprehensive tourism promotion and development strategy. *West Virginia Code §5B-2-9* gave the responsibility of developing this strategy to the Tourism Commission, as well as outlined what the strategy is to contain. This statute has since been repealed by Senate Bill 535 (West Virginia Tourism Act of 2017) and replaced by *West Virginia Code §5B-2I-4*. This new Code section maintains much of the same language as the previous section while expanding some aspects of the strategy.

The Tourism Office does not currently operate under a comprehensive strategy for promotion and development. The Tourism Office has maintained an advertising strategy (discussed in the first issue of this report), but the Legislative Auditor finds that this is only a component of what is supposed to be included in an overarching strategy. This finding echoes a 2010 PERD audit that determined the Tourism Office's activities were primarily devoted to promotion rather than development. In response to this finding, the Tourism Office explained that it is currently working on a strategy to be presented at the 2017 Governor's Conference on Tourism. The Legislative Auditor recommends that the Tourism Office develop and adhere to this comprehensive strategy.

#### **West Virginia Code Requires the Completion of a Comprehensive Tourism Promotion and Development Strategy.**

West Virginia Code first required the development of a tourism strategy in 1995 with *West Virginia Code §5B-2-9(a)*. The goals of this strategy were varied, but generally had a dual purpose: (1) to promote tourism within the state and (2) to develop tourism infrastructure and improve the tourism environment. Furthermore, *West Virginia Code §5B-2-9(a)* gave the Tourism Commission the responsibility of developing this tourism strategy. However, this legislation was repealed during the 2017 Legislation Session with the West Virginia Tourism Act of 2017 and replaced with *West Virginia Code §5B-2I-4*. Except for placing the burden of developing the strategy to the Tourism Office, rather than the Tourism Commission, language between the old and new code sections

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*In seeking to improve the state's tourism environment, legislation calls for the development of a comprehensive tourism promotion and development strategy.*

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*The Tourism Office does not currently operate under a comprehensive strategy for promotion and development.*

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are similar. In fact, there were no changes in language in the section of Code that defines the goals of the plan. *West Virginia Code §5B-2I-14(a)* states the following:

*... a plan that outlines strategies and activities designed to continue, diversify and expand the tourism base of the state as a whole; create tourism jobs; develop a highly skilled tourism workforce; facilitate business access to capital for tourism; advertise and market the resources offered by the state with respect to tourism advertising, promotion and development; facilitate cooperation among local, regional and private tourism enterprises; improve infrastructure on a state, regional and community level in order to facilitate tourism development; improve the tourism business climate generally; and leverage funding from sources other than the state, including local, federal and private sources.*

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*Updated language from the new legislation, however, removes the phrase, “shall consider,” and states that the Tourism Office shall engage in a number of additional actions.*

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The now-defunct section, *West Virginia Code §5B-2-9(b)*, continues discussing the strategy. In particular, it states that “*the [Tourism] commission shall consider*” the “*improvement and expansion of existing tourism marketing and promotion activities*” and “*promotion of cooperation among municipalities, counties, and the West Virginia Infrastructure and Jobs Development Council in funding physical infrastructure to enhance the potential for tourism development.*” Updated language from the new legislation, however, removes the phrase, “*shall consider,*” and states that the Tourism Office shall engage in a number of additional actions. Among those are the following:

- (1) Coordinate media events to promote a positive image of West Virginia and new investment in the tourist industry;*
- (2) Provide comprehensive strategic planning services to existing tourism enterprises;*
- (3) Promote attractions of West Virginia in other states;*

(4) *Provide advertising, marketing and communications goods and services, including, without limitation, a cooperative advertising program to facilitate and allow participation in the West Virginia Tourism Office’s advertising and marketing campaigns and activities, to state agencies, departments, unites of state or local government, private tourism enterprises and other persons, entities or private enterprises, including, without limitation, convention and visitors’ bureaus; and*

(5) *Distribute West Virginia informational publications and manage the West Virginia Welcome Centers.*

At present, the Tourism Office has neither implemented nor developed a comprehensive strategy per statutory requirement. When asked to produce the strategy, or any documents relating to its development, the Tourism Office provided the Legislative Auditor with copies of marketing plans from 2010 and 2013; annual reports from 2015 and 2016; a 2015 overnight visitor study; and 2014 and 2016 Image and Advertising Accountability Research documents. PERD found a 2012 ten-year tourism plan on the Tourism Office’s website, but neither the Tourism Office nor the Legislative Auditor identified this ten-year plan as the comprehensive strategy.

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*The Legislative Auditor finds that, in the absence of a completed strategy, the Tourism Office is only engaging in tourism promotion.*

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The directives for the comprehensive strategy, as well as new code language, outline an ambitious agenda for the Tourism Office, including tourism promotion and industry development. However, the Legislative Auditor finds that, in the absence of a completed strategy, the Tourism Office is only engaging in tourism promotion (discussed in the first issue). This finding mirrors a 2010 PERD report, which summarizes the issue as such:

*The Legislative Auditor recognizes that promotional activities, such as direct advertising, can have some indirect effects on developing tourism; however, direct developmental efforts are mandated and necessary to expand and diversify the state’s tourism base. Developing tourism*

*must involve long-term planning and needs assessment, both of which the Tourism Commission has not done.*

The Legislative Auditor maintains this sentiment in this report. A robust strategy must include promotion and development efforts; increasing industry growth, sustainability, and access to capital are crucial charges for the Tourism Office. The Legislative Auditor recognizes that before the repeal and replacement of *West Virginia Code §5B-2-9(a)* the Tourism Office had limited jurisdiction for completing this strategy. Given that *West Virginia Code §5B-2I-4(a)* places the burden of developing and implementing this strategy to the Tourism Office, the Legislative Auditor is hopeful that the agency will be more effective in complying with this directive. The current Tourism Commissioner has only been in the position since 2017, but agrees with the Legislative Auditor on the importance of a strategic plan. The Tourism Commissioner stated:

*Shortly after I was named to my current position, I discovered that the Tourism Office was operating without a strategic plan. Obviously, we need one. We have since developed a strategic plan and intend to present it to the tourism industry in late October at the Governor's Conference on Tourism.*

## Conclusion

It is evident that the Legislature envisioned the Tourism Office as having an active role in both advertising and developing West Virginia's tourism industry. Not only did *West Virginia Code §5B-2I-4* maintain the comprehensive tourism promotion and development strategy as a priority, but new language introduced further mandates for the Tourism Office. Moreover, this new legislation specifically tasks the Tourism Office, rather than the Tourism Commission, with this responsibility. The Tourism Office reports that it is aware of the significance of the strategy and intends to present one at the 2017 Governor's Conference on Tourism. **The Legislative Auditor recommends that the Tourism Office complete and implement the comprehensive strategy outlined in state Code.**

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*The Tourism Office reports that it is aware of the significance of the strategy and intends to present one at the 2017 Governor's Conference on Tourism.*

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## **Recommendation**

2. *The Legislative Auditor recommends that the Tourism Office develop and adhere to a comprehensive tourism promotion and development strategy per statutory requirements.*



## ISSUE 3

### The Tourism Office’s Website Scores High on User-Friendliness but Could Use More Improvements for Transparency.

#### Issue Summary

The Office of the Legislative Auditor conducted a literature review on assessments of governmental websites and developed an assessment tool to evaluate West Virginia’s state agency websites. The assessment tool lists several website elements. Some elements should be included in every website, while other elements such as social media links, graphics and audio/video features may not be necessary or practical for some state agencies. The Legislative Auditor recognizes that the Tourism Office’s main priority is to market and develop West Virginia tourism, as such, the website is expected to score high in user-friendliness. However, the Legislative Auditor’s scoring matrix is designed to aggregate user-friendliness and transparency. Table 2 indicates the Tourism Office’s composite score for both categories.

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*The Legislative Auditor recognizes that the Tourism Office’s main priority is to market and develop West Virginia tourism, as such, the website is expected to score high in user-friendliness.*

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Substantial Improvement Needed	More Improvement Needed	Modest Improvement Needed	Little or No Improvement Needed
0-25%	26-50%	51-75%	76-100%
		<b>58%</b>	
<i>Source: PERD’S review of the Tourism Office’s website as of August 15, 2017.</i>			

### The Tourism Office’s Website Scores High in User-Friendliness but Relatively Low in Transparency.

In order to actively engage with the agency online, citizens must first be able to access and comprehend the information on government websites. Therefore, government websites should be designed to be user-friendly. A user-friendly website is understandable and easy to navigate from page to page. However, government websites should also provide transparency of an agency’s operation to promote accountability and trust.

The Legislative Auditor reviewed the Tourism Office’s website for both user-friendliness and transparency. The scoring matrix is found in Appendix C. As expected for an agency dedicated to state tourism, the Tourism Office scores high in user-friendliness. In fact, scoring an 83 percent, the website is only three elements shy of a maximum score in this category. However, the Tourism Office’s website scores relatively low in terms of transparency. The Tourism Office should consider making website improvements to ensure the agency’s functions are more transparent for the public and other agencies. Table 3 provides a breakdown of the evaluation’s results.

Category	Possible Points	Agency Points	Percentage
<b>User-Friendly</b>	18 points	15 points	83%
<b>Transparency</b>	32 points	14 points	44%
<b>Total</b>	50 points	29 points	58%

*Source: PERD’s review of the Tourism Office’s website as of August 15, 2017.*

## The Tourism Office’s Website Is Easy to Navigate and Understand.

The Office’s website is easy to navigate and, per the Flesch-Kincaid Test for readability, is written on an average 7<sup>th</sup> grade reading level, making it easy to understand.

### User-Friendly Considerations

While the Tourism Commission’s website scored high in this category, the following are three elements it does not contain:

- **FAQ Section-** The website should have a link on the homepage directing the user to a frequently asked questions page.
- **Online Survey/Poll-** A short survey that pops up and requests users to evaluate the website.
- **Help Link-** There should be a link that allows users to access a FAQ section and agency contact information. The link’s text does not have to contain the word “help”, but it should contain

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*The Tourism Office should consider making website improvements to ensure the agency’s functions are more transparent for the public and other agencies.*

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language that clearly indicates that the user can find assistance by clicking the link.

## **The Website Lacks in Transparency Features.**

A website that is transparent should promote accountability and provide information for citizens about what the agency is doing, as well as encouraging public participation. The Tourism Office's website has 44 percent of the core elements that are necessary for a general understanding of the agency's mission and performance. The website includes several important transparency features, such as general website contact; the agency's address; downloadable agency publications; and the names and contact information for agency officials. However, the website lacks several other important transparency features, which are discussed below.

### **Transparency Considerations**

The Tourism Office should consider providing additional elements to the website to improve the website's transparency. The following are a few attributes that could be beneficial:

- **Legislative Mandates, Rules, and Audits-** The website should include a link to the Tourism Office's relevant Code sections and its own Legislative Rules, as well as audits pertaining to the agency.
- **Privacy Policy-** A clear explanation of the agency/state's online privacy policy.
- **Complaint Form-** A specific page that contains a form to file a complaint, preferably online.
- **Budget Information-** Budget data should be available at the checkbook level, ideally in a searchable database.
- **Mission Statement-** The agency's mission should be located on the homepage.

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*The Tourism Office's website has 44 percent of the core elements that are necessary for a general understanding of the agency's mission and performance.*

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- **FOIA information-** Information on how to submit a FOIA request, ideally with an online submission form.
- **Agency Organizational Chart-** A narrative describing the agency organization, preferably in a pictorial representation such as a hierarchy/organizational chart.
- **Performance measures, goals and outcomes-** A page linked to the homepage explaining the agency’s performance goals, measures and outcomes.
- **Agency History-** A page explaining how the agency was created, what it has done, and how, if applicable, has its mission changed over time.
- **Website Updates-** The website should have a website update status on screen and, ideally, for every page.
- **Job postings/links to Personnel Division website-** A section on the homepage for open job postings and a link to the application page.

## Conclusion

The Legislative Auditor finds that the Tourism Office’s website is, overall, visually appealing and easy to navigate. In terms of the agency’s mission, the website is effectively designed to highlight various tourist destinations. While it scores high in user-friendliness, the Legislative Auditor has identified several features that can raise the website’s transparency. The Legislative Auditor recommends making any pertinent changes to provide more transparency for the Tourism Office’s agency, mission, and duties.

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*The Legislative Auditor finds that the Tourism Office’s website is, overall, visually appealing and easy to navigate.*

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## Recommendation

3. *The Legislative Auditor recommends that the Tourism Office make pertinent changes to its website to provide more transparency of the agency’s mission and duties.*

## ISSUE 4

### The Department of Commerce’s Website Needs Substantial Improvement.

#### Issue Summary

The Legislative Auditor considered it appropriate to examine the Department of Commerce’s (Department) website in conjunction with the Tourism Office review since the Department website is the gateway to its division websites. The same procedure was used on both websites. The Legislative Auditor finds that the Department’s website is severely limited with virtually no display of user-friendly or transparency features. Table 4 shows the overall score of 2 percent which indicates substantial improvements are needed.

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*The Legislative Auditor finds that the Department’s website is severely limited with virtually no display of user-friendly or transparency features.*

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<b>Table 4</b> <b>Department of Commerce</b> <b>Website Evaluation Score</b>			
Substantial Improvement Needed	More Improvement Needed	Modest Improvement Needed	Little or No Improvement Needed
0-25%	26-50%	51-75%	76-100%
<b>2%</b>			
<i>Source: PERD’S review of the Department of Commerce’s website as of September 22, 2017.</i>			

The Department’s website is shown below in Figure 1. It functions as a portal to access the eight agencies under its purview, and it is the only page of the website. However, the Legislative Auditor finds that even in this capacity the website provides no information about the Department or its divisions. The website does not have an organization chart for the Department, no biographical information for the Department head or other officials, and no basic descriptions of the divisions and their responsibilities. In fact, the links to the divisions provide only the agency logos or acronyms which assumes that visitors to the website know what the acronyms mean. For example, the Department is assuming that everyone knows what the following acronyms mean: WVDNR, Office of MHS&T, and WVGES. Moreover, it is not clear that the “Wild, Wonderful West Virginia” link is for tourism information.

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*The website does not have an organization chart for the Department, no biographical information for the Department head or other officials, and no basic descriptions of the divisions and their responsibilities.*

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**Figure 1**  
**Department of Commerce Website**



Table 5 shows the scores for the Department website in terms of user-friendliness and transparency. The scoring matrix is found in Appendix D. No points could be given for transparency since there are no transparency features to the website. One point was given for user-friendliness because the links to each division website facilitates navigation. The overall score shows that only 2 percent of the features used in PERD’s assessment are present in the website.

**Table 5**  
**Website Evaluation Score**

Category	Possible Points	Agency Points	Percentage
User-Friendly	18 points	1 point	6%
Transparency	32 points	0 points	0%
<b>Total</b>	50 points	1 points	2%

*Source: PERD’S review of the Department of Commerce’s website as of September 22, 2017.*

## Conclusion

The Legislative Auditor finds that the Department's website lacks even the most basic features of a user-friendly and transparent government website. Therefore, the Legislative Auditor recommends substantial improvements be made to the website. Among these changes, the Legislative Auditor stresses the need for agency contact information, an organizational chart, and clearly defined links to the Department's agencies. However, there are many other features needed which are listed in Appendix D.

## Recommendation

4. *The Legislative Auditor recommends that the Department of Commerce make substantial improvements to its website.*

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*The Legislative Auditor finds that the Department's website lacks even the most basic features of a user-friendly and transparent government website.*

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# Appendix A Transmittal Letter

## WEST VIRGINIA LEGISLATURE *Performance Evaluation and Research Division*

Building 1, Room W-314  
1900 Kanawha Boulevard, East  
Charleston, West Virginia 25305-0610  
(304) 347-4890  
(304) 347-4939 FAX



John Sylvia  
Director

September 22, 2017

Chelsea Ruby, Commissioner  
West Virginia Division of Tourism  
Building 3, Suite 100  
State Capitol Complex  
1900 Kanawha Boulevard, East  
Charleston, WV 25305

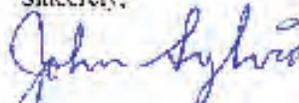
Mrs. Ruby:

This is to transmit a draft copy of the Agency Review of the West Virginia Tourism Office. This report is tentatively scheduled to be presented during the October 15-17, 2017 interim meetings of the Joint Committee on Government Operations, and the Joint Committee on Government Organization. We will inform you of the exact time and location once the information becomes available. It is expected that a representative from your agency be present at the meeting to orally respond to the report and answer any questions committee members may have during or after the meeting.

If you would like to schedule an exit conference to discuss any concerns you may have with the report, please notify us by Wednesday, September 27, 2017. In addition, we need your written response by noon on Tuesday, October 3, 2017 in order for it to be included in the final report. If your agency intends to distribute additional material to committee members at the meeting, please contact the House Government Organization staff at 304-340-3192 by Thursday, October 12, 2017 to make arrangements.

We request that your personnel not disclose the report to anyone not affiliated with your agency. Thank you for your cooperation.

Sincerely,

  
John Sylvia

Enclosure

v:

H. Wood Thrasher, Cabinet Secretary, Department of Commerce

*Joint Committee on Government and Finance*



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## Appendix B

# Objectives, Scope and Methodology

The Performance Evaluation and Research Division (PERD) within the Office of the Legislative Auditor conducted this agency review of the West Virginia Tourism Office as required and authorized by the West Virginia Performance Review Act, Chapter 4, Article 10, of the West Virginia Code as amended. The purpose of the Tourism Office, as established by *West Virginia Code §5b-2I-4*, is to promote and develop West Virginia's tourism industry.

### Objectives

The objectives of this audit are: (1) to provide an informational overview of the now-defunct MAPP and its replacement, a cooperative advertisement program; (2) determine the status of the comprehensive tourism promotion and development strategy; and (3) evaluate the websites of the Tourism Office and the Department of Commerce.

### Scope

The scope of the first issue was limited to information from the MAPP from fiscal year 2014 to fiscal year 2016. The overview of the cooperative advertising program was only informational in nature, so there is no timeframe associated with this aspect of the issue; however, the audit considered the contents of *West Virginia Code §5B-2I-6(c)*, which mandates the cooperative advertising program. The scope of the second issue is limited to the contents in *West Virginia Code §5B-2I-4*, which outlines the comprehensive tourism promotion and development strategy. The website evaluation of the Tourism Office was conducted on August 15, 2017; therefore, the website evaluation score reflects the website as of that day. Similarly, the website evaluation of the Department of Commerce was conducted on September 22, 2017.

### Methodology

The primary source for information for the first and second issues was from testimonial evidence and information requests to the Tourism Office. The Tourism Office gave testimonial evidence relating to the MAPP and the new cooperative advertisement program to the audit team at the entrance conference. The audit team followed up on this information with information requests. The purpose of these follow-up requests was to gain clarification and further insight on the MAPP and cooperative advertisement program. Additionally, the audit team accessed MAPP information from the Tourism Office's website for background information on the different grant options. The Tourism Office provided the audit team with MAPP grant data from fiscal years 2014 to 2016. These data were used in the final report.

The Tourism Office discussed the comprehensive tourism promotion and development strategy during the entrance conference, as well as through subsequent information requests. The audit team requested any relevant documentation pertaining to the strategy's development, but was not provided with any documentation that met this standard. Furthermore, the audit team searched the Tourism Office's website, but could not find a document that was identified as the comprehensive tourism promotion and development strategy. The audit team accessed a ten-year tourism plan found on the Tourism Office's website, but the Tourism Office did not identify this document as the strategy outlined by code. The Tourism Office stated that they did not have a completed strategy, but that they would present one in October 2017.

The Tourism Office's website evaluation score was derived from a pre-determined rubric used by PERD. The audit team tested the website for the various features within the rubric, using August 15, 2017 as the date with which to reflect the score. The audit team underwent a similar process for the Department of Commerce website evaluation, with the evaluation date being September 22, 2017.

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

## Appendix C

### Website Criteria Checklist and Points System

<b>West Virginia Tourism Office</b>			
User-Friendly	Description	Total Points Possible	Total Agency Points
<b>Criteria</b>	The ease of navigation from page to page along with the usefulness of the website.	<b>18</b>	<b>15</b>
		Individual Points Possible	Individual Agency Points
Search Tool	The website should contain a search box (1), preferably on every page (1).	2 points	2
Help Link	There should be a link that allows users to access a FAQ section (1) and agency contact information (1) on a single page. The link's text does not have to contain the word help, but it should contain language that clearly indicates that the user can find assistance by clicking the link (i.e. "How do I...", "Questions?" or "Need assistance?")	2 points	1
Foreign language accessibility	A link to translate all webpages into languages other than English.	1 point	1
Content Readability	The website should be written on a 6 <sup>th</sup> -7 <sup>th</sup> grade reading level. The Flesch-Kincaid Test is widely used by Federal and State agencies to measure readability.	No points, see narrative	
Site Functionality	The website should use sans serif fonts (1), the website should include buttons to adjust the font size (1), and resizing of text should not distort site graphics or text (1).	3 points	3
Site Map	A list of pages contained in a website that can be accessed by web crawlers and users. The Site Map acts as an index of the entire website and a link to the department's entire site should be located on the bottom of every page.	1 point	1
Mobile Functionality	The agency's website is available in a mobile version (1) and/or the agency has created mobile applications (apps) (1).	2 points	2
Navigation	Every page should be linked to the agency's homepage (1) and should have a navigation bar at the top of every page (1).	2 points	2
FAQ Section	A page that lists the agency's most frequent asked questions and responses.	1 point	0
Feedback Options	A page where users can voluntarily submit feedback about the website or particular section of the website.	1 point	1

<b>West Virginia Tourism Office</b>			
Online survey/poll	A short survey that pops up and requests users to evaluate the website.	1 point	0
Social Media Links	The website should contain buttons that allow users to post an agency’s content to social media pages such as Facebook and Twitter.	1 point	1
RSS Feeds	RSS stands for “Really Simple Syndication” and allows subscribers to receive regularly updated work (i.e. blog posts, news stories, audio/video, etc.) in a standardized format.	1 point	1
<b>Transparency</b>	<b>Description</b>	<b>Total Points Possible</b>	<b>Total Agency Points</b>
<b>Criteria</b>	A website which promotes accountability and provides information for citizens about what the agency is doing. It encourages public participation while also utilizing tools and methods to collaborate across all levels of government.	<b>32</b>	<b>14</b>
		<b>Individual Points Possible</b>	<b>Individual Agency Points</b>
Email	General website contact.	1 point	1 point
Physical Address	General address of stage agency.	1 point	1 point
Phone Number	Correct phone number of state agency.	1 point	0 points
Location of Agency Headquarters	The agency’s contact page should include an embedded map that shows the agency’s location.	1 point	0 points
Administrative officials	Names (1) and contact information (1) of administrative officials.	2 points	2 points
Administrator(s) biography	A biography explaining the administrator(s) professional qualifications and experience.	1 point	1 point
Privacy policy	A clear explanation of the agency/state’s online privacy policy.	1 point	0 points

<b>West Virginia Tourism Office</b>			
Public Records	<p>The website should contain all applicable public records relating to the agency's function. If the website contains more than one of the following criteria the agency will receive two points:</p> <ul style="list-style-type: none"> <li>• Statutes</li> <li>• Rules and/or regulations</li> <li>• Contracts</li> <li>• Permits/licenses</li> <li>• Audits</li> <li>• Violations/disciplinary actions</li> <li>• Meeting Minutes</li> <li>• Grants</li> </ul>	2 points	1 point
Complaint form	A specific page that contains a form to file a complaint (1), preferably an online form (1).	2 points	0 points
Budget	Budget data is available (1) at the checkbook level (1), ideally in a searchable database (1).	3 points	0 points
Mission statement	The agency's mission statement should be located on the homepage.	1 point	0 points
Calendar of events	Information on events, meetings, etc. (1) ideally embedded using a calendar program (1).	2 points	2 point
e-Publications	Agency publications should be online (1) and downloadable (1).	2 points	2 points
Agency Organizational Chart	A narrative describing the agency organization (1), preferably in a pictorial representation such as a hierarchy/organizational chart (1).	2 points	1 point
Graphic capabilities	Allows users to access relevant graphics such as maps, diagrams, etc.	1 point	1 point
Audio/video features	Allows users to access and download relevant audio and video content.	1 point	1 point
FOIA information	Information on how to submit a FOIA request (1), ideally with an online submission form (1).	2 points	0 points
Performance measures/outcomes	A page linked to the homepage explaining the agency's performance measures and outcomes.	1 point	1 point
Agency history	The agency's website should include a page explaining how the agency was created, what it has done, and how, if applicable, has its mission changed over time.	1 point	0 points

<b>West Virginia Tourism Office</b>			
Website updates	The website should have a website update status on screen (1) and ideally for every page (1).	2 points	0 points
Job Postings/links to Personnel Division website	The agency should have a section on homepage for open job postings (1) and a link to the application page Personnel Division (1).	2 points	0 points

## Appendix D Website Criteria Checklist and Points System

<b>West Virginia Department of Commerce</b>			
User-Friendly	Description	Total Points Possible	Total Agency Points
<b>Criteria</b>	The ease of navigation from page to page along with the usefulness of the website.	<b>18</b>	<b>1</b>
		Individual Points Possible	Individual Agency Points
Search Tool	The website should contain a search box (1), preferably on every page (1).	2 points	0
Help Link	There should be a link that allows users to access a FAQ section (1) and agency contact information (1) on a single page. The link's text does not have to contain the word help, but it should contain language that clearly indicates that the user can find assistance by clicking the link (i.e. "How do I...", "Questions?" or "Need assistance?")	2 points	0
Foreign language accessibility	A link to translate all webpages into languages other than English.	1 point	0
Content Readability	The website should be written on a 6 <sup>th</sup> -7 <sup>th</sup> grade reading level. The Flesch-Kincaid Test is widely used by Federal and State agencies to measure readability.	No points, see narrative	
Site Functionality	The website should use sans serif fonts (1), the website should include buttons to adjust the font size (1), and resizing of text should not distort site graphics or text (1).	3 points	0
Site Map	A list of pages contained in a website that can be accessed by web crawlers and users. The Site Map acts as an index of the entire website and a link to the department's entire site should be located on the bottom of every page.	1 point	0
Mobile Functionality	The agency's website is available in a mobile version (1) and/or the agency has created mobile applications (apps) (1).	2 points	0
Navigation	Every page should be linked to the agency's homepage (1) and should have a navigation bar at the top of every page (1).	2 points	1
FAQ Section	A page that lists the agency's most frequent asked questions and responses.	1 point	0
Feedback Options	A page where users can voluntarily submit feedback about the website or particular section of the website.	1 point	0

<b>West Virginia Department of Commerce</b>			
Online survey/poll	A short survey that pops up and requests users to evaluate the website.	1 point	0
Social Media Links	The website should contain buttons that allow users to post an agency’s content to social media pages such as Facebook and Twitter.	1 point	0
RSS Feeds	RSS stands for “Really Simple Syndication” and allows subscribers to receive regularly updated work (i.e. blog posts, news stories, audio/video, etc.) in a standardized format.	1 point	0
<b>Transparency</b>	<b>Description</b>	<b>Total Points Possible</b>	<b>Total Agency Points</b>
<b>Criteria</b>	A website which promotes accountability and provides information for citizens about what the agency is doing. It encourages public participation while also utilizing tools and methods to collaborate across all levels of government.	<b>32</b>	<b>0</b>
		<b>Individual Points Possible</b>	<b>Individual Agency Points</b>
Email	General website contact.	1 point	0
Physical Address	General address of stage agency.	1 point	0
Telephone Number	Correct telephone number of state agency.	1 point	0
Location of Agency Headquarters	The agency’s contact page should include an embedded map that shows the agency’s location.	1 point	0
Administrative officials	Names (1) and contact information (1) of administrative officials.	2 points	0
Administrator(s) biography	A biography explaining the administrator(s) professional qualifications and experience.	1 point	0
Privacy policy	A clear explanation of the agency/state’s online privacy policy.	1 point	0
Complaint form	A specific page that contains a form to file a complaint (1), preferably an online form (1).	2 points	0
Budget	Budget data is available (1) at the checkbook level (1), ideally in a searchable database (1).	3 points	0
FOIA information	Information on how to submit a FOIA request (1), ideally with an online submission form (1).	2 points	0
Calendar of events	Information on events, meetings, etc. (1) ideally imbedded using a calendar program (1).	2 points	0
Mission statement	The agency’s mission statement should be located on the homepage.	1 point	0

<b>West Virginia Department of Commerce</b>			
Agency history	The agency’s website should include a page explaining how the agency was created, what it has done, and how, if applicable, has its mission changed over time.	1 point	0
Public Records	<p>The website should contain all applicable public records relating to the agency’s function. If the website contains more than one of the following criteria the agency will receive two points:</p> <ul style="list-style-type: none"> <li>• Statutes</li> <li>• Rules and/or regulations</li> <li>• Contracts</li> <li>• Permits/licensees</li> <li>• Audits</li> <li>• Violations/disciplinary actions</li> <li>• Meeting Minutes</li> <li>• Grants</li> </ul>	2 points	0
e-Publications	Agency publications should be online (1) and downloadable (1).	2 points	0
Agency Organizational Chart	A narrative describing the agency organization (1), preferably in a pictorial representation such as a hierarchy/organizational chart (1).	2 points	0
Graphic capabilities	Allows users to access relevant graphics such as maps, diagrams, etc.	1 point	0
Audio/video features	Allows users to access and download relevant audio and video content.	1 point	0
Performance measures/outcomes	A page linked to the homepage explaining the agencies performance measures and outcomes.	1 point	0
Website updates	The website should have a website update status on screen (1) and ideally for every page (1).	2 points	0
Job Postings/links to Personnel Division website	The agency should have a section on homepage for open job postings (1) and a link to the application page Personnel Division (1).	2 points	0



## Appendix E Agency Response



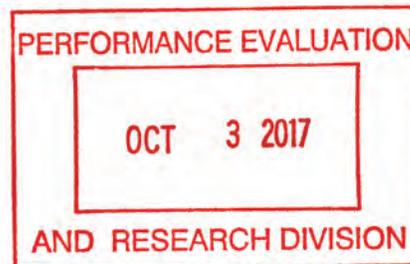
West Virginia Tourism Office

1900 Kanawha Boulevard East | Charleston, WV 25305

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October 3, 2017

Mr. John Sylvia  
West Virginia Legislature  
Performance Evaluation and Research Division  
Building 1, Room W-314  
1900 Kanawha Boulevard, East  
Charleston, West Virginia, 25305-0610



Dear Mr. Sylvia:

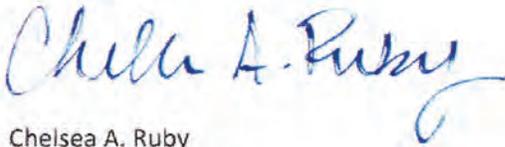
Thank you for the time that you and your colleagues have devoted to your audit of the West Virginia Tourism Office. As the newly appointed Tourism Commissioner, I can tell you that your audit was quite timely. I have reviewed the draft copy of the Agency Review. Below are our responses to the four issues outlined in the audit.

- Issue One: I agree with your analysis of the two programs and believe the new cooperative advertising program will outperform the antiquated, bureaucratic Matching Advertising Partnership Program. I hope you will assess the new program when it has been put into place and more data is available.
- Issue Two: Shortly after I was named to my current position, I discovered that the Tourism Office was operating without a strategic plan. Obviously, we need one. We have since developed a strategic plan and intend to present it to the tourism industry in late October at the Governor's Conference on Tourism. The plan will be updated each year and discussed at the annual tourism conference.
- Issue Three: The issues you identified regarding the Tourism Office's website have been remedied since we received the draft Agency Review on September 22, 2017. The only update we did not make was a pop-up user satisfaction poll, because it would detract from our promotional efforts.
- Issue Four: Your audit of the Tourism Office included the Department of Commerce's website. The Department of Commerce is the parent agency of the Tourism Office, and the Tourism

Office has no control of the Department of Commerce site. However, I can shed some light on the situation: The wvcommerce.org platform was built almost a decade ago using proprietary software, and the company that built it is now defunct. Without the vendor that originally created the custom platform, updating the site that housed all the Commerce agencies has been a monumental undertaking. The Department of Commerce continues to revamp that website. The Cabinet Secretary recently asked the Tourism Office to assist in this effort, and we are working with Commerce to deploy a new site as soon as reasonably possible.

Again, thank you for your efforts and those of your office in conducting this audit. It has provided our team invaluable information for future improvement.

Sincerely,

A handwritten signature in blue ink that reads "Chelsea A. Ruby". The signature is fluid and cursive, with a large initial "C" and a long, sweeping underline.

Chelsea A. Ruby  
Tourism Commissioner

cc: H. Wood Thrasher, Secretary of Commerce  
Samantha Smith, Commerce Director of Marketing and Communications



WEST VIRGINIA LEGISLATIVE AUDITOR

**PERFORMANCE EVALUATION & RESEARCH DIVISION**

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