

Performance Audit

**Blennerhassett Island Historical
State Park Commission**

**The Blennerhassett Island Historical State
Park Commission Has Become Obsolete**



**October 2007
PE 07-09-414**

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John Sylvia
Director

October 8, 2007

The Honorable Edwin J. Bowman
State Senate
129 West Circle Drive
Weirton, West Virginia 26062

The Honorable Jim Morgan
House of Delegates
Building 1, Room E-213
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305-0470

Dear Chairs:

Pursuant to the West Virginia Performance Review Act, we are transmitting a Performance Audit of the *Blennerhassett Island Historical State Park Commission*, which will be presented to the Joint Committee on Government Operations and Joint Committee on Government Organization on Monday, October 8, 2007. The issue covered herein is "*The Blennerhassett Island Historical State Park Commission Has Become Obsolete.*"

We transmitted a draft copy of the report to the Blennerhassett Island Historical State Park Commission on July 23, 2007. We held an exit conference with the Blennerhassett Island Historical State Park Commission on July 31, 2007. We received the agency response from the Commission on August 8, 2007.

Let me know if you have any questions.

Sincerely,

John Sylvia
John Sylvia

JS/tlc

Joint Committee on Government and Finance

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Executive Summary

Issue 1: The Blennerhassett Island Historical State Park Commission Has Become Obsolete

The Blennerhassett Island Historical State Park Commission was created by the Legislature in 1975 for the purpose of developing Blennerhassett Island, which is located in the Ohio River near Parkersburg, West Virginia. Since the time of its inception, the Commission's authority has changed from being substantial to advisory.

Powers and duties once held by the Commission were transferred to the responsibility of the Division of Commerce.

Amendments to this article and chapter have occurred five times since its establishment by the Acts of 1975. Most notably in 1989, House Bill 2755 transferred the Commission to the Division of Commerce. This included the transfer of all assets and employees of the Commission. At this time, the Commission was established as an advisory commission. Powers and duties once held by the Commission were transferred to the responsibility of the Division of Commerce.

The Legislative Auditor surveyed all members of the Commission regarding their attendance, perceived benefit of the Commission, and whether the Commission should continue. Seven of eight responses received support the discontinuation of the Commission.

The Blennerhassett Historical Foundation, Inc. was incorporated as a 501(c)3 organization in 1982 "to encourage and channel community support of Blennerhassett Historical Park." The Foundation provides funds, volunteers and other resources to support the Park's museum, operations, activities and facilities. The Foundation has assumed much of the Commission's advisory responsibilities. The efforts of the Foundation and the Friends of Blennerhassett have made the advisory functions of the Commission obsolete. These organizations are providing adequate stewardship of the Park without the Commission's assistance.

The Legislative Auditor surveyed all members of the Commission regarding their attendance, perceived benefit of the Commission, and whether the Commission should continue. Seven of eight responses received support the discontinuation of the Commission. Following correspondence with Commission members, the Secretary of Commerce, and the Blennerhassett Foundation, the Legislative Auditor has concluded that the Commission is no longer needed, and should be terminated.

Recommendation

The Legislative Auditor recommends that the Blennerhassett Island Historical State Park Commission be terminated. The Legislature may consider exempting the Commission from termination wind-up timetable provisions set forth by §4-10-12 of the code, since it will not require a full year for the Commission to wind up its affairs.

Review Objective, Scope and Methodology

This Performance Audit on the Blennerhassett Island Historical State Park Commission is authorized by §4-2-5 of the West Virginia Code, as amended.

Objective

The objective of this performance audit was to determine if the Blennerhassett Island Historical State Park Commission has become obsolete, and whether it should be terminated.

Scope

The scope of this review includes activities from the creation of the Blennerhassett Island Historical State Park Commission in 1975 through July 2007.

Methodology

Information compiled in this report has been acquired through the West Virginia Code, the Acts of the Legislature, and communication with and documentation from the Blennerhassett Island Historical State Park Commission. The report also included correspondence with the Blennerhassett Island Historical Foundation and the Department of Commerce. Finally, a survey was conducted of the Blennerhassett Island Historical State Park Commission members. Every aspect of this review complied with Generally Accepted Government Auditing Standards (GAGAS).

Issue 1

The Blennerhassett Island Historical State Park Commission Has Become Obsolete.

Issue Summary

The Legislative Auditor has concluded that the Commission is no longer needed, and should be terminated.

The Blennerhassett Island Historical State Park Commission was created by the Legislature in 1975 for the purpose of developing Blennerhassett Island, which is located in the Ohio River near Parkersburg, West Virginia. Since its inception, the Commission's authority has changed from being substantial to advisory. Following correspondence with Commission members, the Secretary of Commerce, and the Blennerhassett Foundation, the Legislative Auditor has concluded that the Commission is no longer needed, and should be terminated.

The Mission of the Blennerhassett Island State Park Commission Has Changed Since its Creation in 1975

The original Blennerhassett Park Commission was created by the Legislature in 1975 through the passage of Senate Bill 567.

Specific powers granted by the Legislature to the Commission included:

- establishing the Commission as a public corporation within the Executive Branch,
- allowing the Commission to develop Blennerhassett Island and related locations within Wood County,
- empowering the Commission to enter into agreements with private and certain out-of-state persons firms, corporations, and agencies, and
- authorizing the issuance and sale of tax exempt revenue bonds and establishing a sinking fund for repayment of the bonds.

In 1989, the Legislature amended portions of the Commission's code section (Acts of 1989, c. 20). Changes to the statute included:

- establishing the Blennerhassett Historical State Park Commission as an **advisory commission**,
- transferring all employee positions, assets, real and personal property, debts, liabilities, powers and duties of the former Blennerhassett Historical Park Commission to the Division of Commerce (now **Department** of Commerce), and
- repealing considerable power, such as authority to sell bonds.

The Commission has no budget or possessions; it is strictly an advisory board. However, no entity receives advice from the Commission.

In 2005, the Legislature amended portions of the Commission's code section (Acts of 2005, c. 3). The statute was amended to state that the Commission is organized under the Division of Natural Resources. With that change, all assets, real and personal property, debts, liabilities, duties, powers, and authority were transferred to the Division of Natural Resources.

The Blennerhassett Island Commission Is an Advisory Board Without an Entity In Which to Provide Advice

The Commission has no budget or possessions; it is strictly an advisory board. However, no entity receives advice from the Commission. The Commission does not have any influence over the funding or the usage of funds for the Park. The Commission meets four times per year to listen to reports from various groups that discuss the status of the Park. The Park staff gives a report on the condition of the Park ranging anywhere from general maintenance and repairs to recording Park attendance. The Blennerhassett Historical Foundation gives a report on the Park's developmental projects, present and future, and also on the financial matters for the Park. The Friends of Blennerhassett generally report on future events and fund raisers. However, the results of these meetings have no impact towards the operation of the Park. The Commission has no power to act on these reports, and the reports given to the Commission by these entities are considered courtesies, since there is no requirement for these entities to report to the Commission. The President noted to the Legislative Auditor that the members are busy individuals and some have to take time from their jobs in order to meet for what seemingly has no purpose.

The Blennerhassett Historical Foundation Has Assumed Responsibilities Previously Held by the Commission

The Blennerhassett Historical Foundation, Inc. was incorporated as a 501(c)3 organization in 1982 “to encourage and channel community support of Blennerhassett Historical Park.” It is governed by a thirty-member board. According to its mission statement, the main purpose of the Foundation is to provide financial and resource support to the development and operation of the Park. The Foundation provides funds, volunteers and other resources to support the Park’s museum, operations, activities and facilities. The Foundation does not have any organizational connection to the Commission, the Division of Natural Resources, or to state government. The Foundation has assumed much of the Commission’s advisory responsibilities.

The efforts of the Foundation and the Friends of Blennerhassett have made the advisory functions of the Commission obsolete.

According to the Blennerhassett Historical Foundation, the Friends of Blennerhassett, created in 1987, is a committee of the Blennerhassett Historical Foundation, Inc. It is a non-profit organization formed to preserve and promote the history of Parkersburg, WV and the surrounding area by encouraging support of Blennerhassett Island Historical State Park. The Friends of Blennerhassett staffs the gift shops in the Blennerhassett Museum and on the island. It also provides guided tours.

The Blennerhassett Foundation has assumed the Commission’s advisory responsibilities. The efforts of the Foundation and the Friends of Blennerhassett have made the advisory functions of the Commission obsolete. These organizations are providing adequate stewardship of the Park without the Commission’s assistance.

Members of the Commission, the Secretary of the Department of Commerce, and the Blennerhassett Foundation Generally Support the Termination of the Commission

In order to determine perceived benefit of the Commission, the Legislative Auditor contacted Commission members, the Department of Commerce, and the Foundation with specific questions related to the Commission’s activities.

The President of the Commission stated that:

The Commission during the last three years has played

The President of the Commission stated that the Commission has played no role towards the operation of the Blennerhassett Island State Park.

The Secretary of the Department of Commerce stated that there would be no discernable effect on park operators if the Commission was terminated.

*no role toward the operation of the Blennerhassett Island Historical State Park...there would be no effect on the Blennerhassett Island Historical State Park if the Commission were not continued...I see no reason for the Commission to be continued. **The work that it did during the formative years of the Park has been taken over very capably by the Blennerhassett Island Historical Foundation, Inc.** [The Commission] has no funds and no power [emphasis added].*

The Secretary of the Department of Commerce stated that:

*[The Commission] has played little or no significant role in the operation of the park during the last three years or more. Over the last several years, volunteer groups such as the Friends of Blennerhassett have been a major fundraiser and advisory group to Blennerhassett Island Historical State Park...Although I am quite neutral as to the question of its continuation, **there would be no discernible effect on park operations if the commission were** [sic] **terminated** [emphasis added].*

Since speculation about the termination of the Commission is dependent upon the activities of the Blennerhassett Island Historical Foundation, the Legislative Auditor contacted that entity to ascertain whether its consensus was the same as that of the Commission President and the Department of Commerce. The Chairperson of the Blennerhassett Foundation stated that:

*The Park would not notice if the Commission existed or did not exist... [it] has no authority of funds. It serves only to advise and has no control over the operation of the Blennerhassett Island Historical State Park...**The Foundation can certainly carry out the functions of the Commission if [it] were to cease to be in existence** [emphasis added].*

In addition to obtaining these statements, the Legislative Auditor surveyed each member of the Commission regarding their attendance, perceived benefit of the Commission, and whether the Commission should continue. Responses were received from 8 of the 10 Commission members, and can be found in Table 1.

Table 1		
Blennerhassett Island Historical State Park Commission Member Survey Results*		
	Response (N=10)	Percentage (Based on Responses)
1. Please estimate your level of attendance at Commission meetings.		
A. Never attend	0	0%
B. 1-25%	1	12.5%
D. 26%-50%	1	12.5%
E. 51%-75%	0	0%
F. 76%-99%	3	37.5%
G. Attend all meetings	3	37.5%
2. Do you find Commission meetings to be worthwhile towards the well-being of the Island?		
A. Yes	4	50%
B. No	4	50%
3. In your opinion, would there be any negative discernible effects if the Commission was abolished?		
A. Yes	0	0%
B. No	8	100%
4. In your opinion, would the Blennerhassett Island Foundation be able to sufficiently and entirely carry out all current functions of the Commission if the Commission were to cease to be in existence?		
A. Yes	8	100%
B. No	0	0%
5. In your opinion, should the Commission be continued?		
A. Yes	1	12.5%
B. No	7	87.5%
*Survey was sent to all ten Commission members. Eight surveys were returned.		
Source: Results of survey of Commission members conducted by Legislative Auditor		

For the most part, responses to the survey support the discontinuation of the Commission. Even though some members perceive “meetings to be worthwhile towards the well-being of the Island,” many of the same responses still indicate that the Commission should be discontinued. **Finally, and perhaps most importantly, all respondents indicated that there would be no discernable negative effects if the Commission was discontinued.** Members of the Commission were invited to make additional comments on the survey. One member noted that during their tenure:

I have...not felt that anything more was accomplished separate from the Blennerhassett Island Foundation...it is a tremendous waste of our time.

For the most part, responses to the survey support the discontinuation of the Commission.

Conclusion

Since its creation in 1975, the powers of the Commission have been decreased by the Legislature. Additionally, its use as an advisory board has dwindled. Support of the idea to discontinue the Commission is found from the opinions of officials from the Blennerhassett Foundation, Division of Commerce, and also the Blennerhassett Island Historical State Park Commission itself. Based on testimonial evidence and analysis of the Commission’s regular business, it appears the Commission serves no benefit. Given the current status of the Park, it is clear that the Commission has achieved and carried out the legislative findings set forth by the 1975 Act that created it. However, the findings have either been fulfilled or are being carried out by other entities. **Although once worthwhile, any continuation of the Commission is an unnecessary consumption of both the Commission members’ time and the resources of the Governor’s Office that appoints them.** Therefore, the Legislative Auditor recommends that the Commission be terminated. The Legislature may consider exempting the Commission from the *termination wind-up* timetable provisions set forth by §4-10-12 of the Code, since it will not require a full year for the Commission to wind up its affairs.

Recommendation

The Legislative Auditor recommends that the Blennerhassett Island Historical State Park Commission be terminated. The Legislature may consider exempting the Commission from the termination wind-up timetable provisions set forth by §4-10-12 of the Code, since it will not require a full year for the Commission to wind up its affairs.

Appendix A: Transmittal Letter

WEST VIRGINIA LEGISLATURE *Performance Evaluation and Research Division*

Building 1, Room W-314
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John Sylvia
Director

July 23, 2007

Linda Watkins, President
Blennerhassett Island Historical State Park Commission
10 Heather Glen
Vienna, WV 26105

Dear Ms. Watkins:

This is to transmit a draft copy of the performance audit of the Blennerhassett Island Historical State Park Commission. This report is scheduled to be presented during the August 19 - 21, 2007 interim meeting 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 the committee may have.

We need to schedule an exit conference to discuss any concerns you may have with the report. We would like to have the meeting between July 30 and August 6, 2007. Please notify us to schedule an exact time. In addition, we need your written response by noon on August 8, 2007 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 340-3192 by Thursday August 17, 2007 to make arrangements.

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

Sincerely,

A handwritten signature in cursive script that reads "Denny Rhodes".

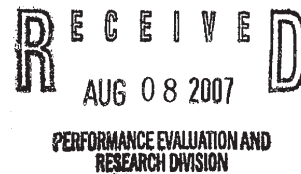
Denny Rhodes
Research Manager

c. Pamela Salisbury

Joint Committee on Government and Finance

Appendix B: Agency Response

Linda T. Watkins, President
Blennerhassett Island Historical State Park Commission
10 Heather Glen
Vienna, WV 26105
July 31, 2007



Denny Rhodes, Research Manager
West Virginia Legislature
Performance Evaluation and Research Division
Building 1, Room W 314
1900 Kanawha Boulevard East
Charleston, WV 25302-0610

Dear Mr. Rhodes:

I am pleased to express my satisfaction with the draft of the performance audit of the Blennerhassett Island Historical State Park Commission.

It is an accurate and comprehensive report of the investigation into the reasons for terminating the commission.

Thank you for the excellent work that you and your staff have done.

Sincerely,

A handwritten signature in cursive script that reads "Linda Watkins". The ink is dark and the signature is fluid and legible.

Linda Watkins

