

Board President, Linda Kolstad, resigns

In March, 2019, Board President Linda Kolstad resigned, presumably due to her alleged unethical behavior as detailed in Karen Blackford's letter to the KBV Board on January 18, 2019. Read Karen's letter below...

January 18, 2019

TO: Kauai Beach Villas Interval Owners Association Board of Directors

FR: Karen Blackford
KBV Owner – #5-11832

RE: Apparent Unethical and Conflicted Behavior by KBV Board Members

As an Owner in good standing at Kauai Beach Villas and a former member of the KBV Interval Owners Association (IOA) Board of Directors (2011 – 2017), I am writing to strongly urge the Board to take action, at their earliest opportunity, upon what appears to be unethical and conflicted behavior by two current KBV Board Members, Linda Kolstad and Danielle Ramos. Based on information that the Board has been aware of for over 8 months now, in my opinion (and the opinion of many of my fellow KBV Owners), this is a serious matter requiring the Board's immediate attention and, if warranted, Ms. Kolstad and Ms. Ramos should be compelled to resign their Board seats immediately.

Background:

There is written evidence that strongly suggests Linda Kolstad and Danielle Ramos conspired with their employer, Wyndham Vacation Ownership, to aid Wyndham in taking control of both the KBV Interval Owners Association (IOA) and KBV Association of Apartment Owners (AOAO) Boards (please see attached "Wyndham Memo"). While it cannot be said for certain, it seems a reasonable person would conclude that Ms. Kolstad was the author of this Wyndham Memo. That aside, at the very least, Ms. Kolstad and Ms. Ramos were willing participants in this highly questionable behavior. Behavior that seems to be unethical, conflicted and in violation of KBV's adopted Code of Ethics for its Board Members (please see attached "KBV Code of Ethics").

Processes Available to the KBV Homeowners:

There are several processes available for pursuing this questionable behavior by KBV Board Directors Kolstad and Ramos.

1. Stating the obvious, the simplest solution to these concerns would be for Directors Kolstad and Ramos to resign.
2. Should Directors Kolstad and Ramos choose to not resign, then section 3.12 of the by-laws outlines how the Board can proceed with calling a Special Meeting of the members for the purpose of removing Board Directors, with or without cause. Certainly the question of conflicted and/or unethical behavior is grounds for calling such a Special Meeting. It seems clear, should the KBV Board choose to act on this issue, both Ms. Kolstad and Ms. Ramos should recuse themselves from voting on any matters regarding their removal.
3. In the event that the current Board chooses to not take up this issue, section 2.02 of the by-laws states that a special meeting of the KBV Homeowners can be called by a petition of 5% of the members. To meet this requirement, approximately 268 signatures would be required. Once the necessary signatures have been received, the Association would prepare a meeting notice and ballot. Per section 2.05 of the by-laws, during the meeting, only 15% of the Homeowners (approximately 803 votes) would need to be present, in person or by proxy, to constitute a quorum. Additionally, on the matter of recalling a Board Member, a simple majority of the votes cast would determine the outcome. I wish to note here that, having received over 1,600 KBV Homeowner votes during the most recent KBV Board election (held this past May), I am confident we would receive both the 268 signatures necessary to call a Special Meeting and the necessary quorum and majority votes to recall these two Board Members.

For over 8 months now, there has been no action by the Board on this matter of alleged unethical and conflicted Board Director behavior. I am not sure if the Board has just not had the time to take this matter up or if they are just hoping this issue will blow over and go away? (It won't.) I continue to hear from fellow KBV Homeowners asking what the status is of this serious Board issue. In my opinion, it is time for the KBV Board to take this matter up or communicate to their fellow Homeowners that they don't intend to (so the KBV Homeowners can pursue their own remedies). Please know that, in the near future, this letter will be posted to the SaveKBV website and our fellow Homeowners will be notified as to the status of this very important issue.

Thank-you for your time in considering this matter. I look forward to hearing what your intended course of action will be.

Regards, Karen