

SPANISH WELLS UNIT TWO HOMEOWNERS' ASSOCIATION, INC.
Post Office Box 1565
Bonita Springs, FL 34133

NOTICE TO ASSOCIATION MEMBERS AND DIRECTORS OF
A MEETING OF THE BOARD OF DIRECTORS

Notice is hereby given that a meeting of the Board of Directors of Spanish Wells Unit Two Homeowners Association, Inc. will take place on Zoom at 1:00 pm on Monday December 6, 2021. Due to the COVID-19 Virus and the various Variants the meeting will only take place via ZOOM

This announcement will be sent electronically at least 48 hours in advance to all homeowners who agreed to email communications and it will be posted on the bulletin board located on the island at Sombrero Drive and Treasure Cay at least 48 hours in advance.

<https://us02web.zoom.us/j/84984769057?pwd=Nm5TVGI3cng3SS9TdW5YR0xISUZhQT09>

Join on Zoom Meeting ID 849 8476 9057 Passcode 753400

DISTRIBUTION:

Len Biernat	Suzanne Newman
Jeff Chorba	Frank Schwartz
Mike Longfield	Scott Wilkins
Don Meek	

Agenda of the Board Meeting

1. Call to Order, Quorum, Posting of Notice
2. Approval of Previous Meeting Minutes
3. Reports of Officers: President, Treasure, Secretary
4. Committee Reports, Nominating, ARC/Compliance, Social, SWCA

Old Business: None

New Business: 1. Review 2022 Assessment Status
2. Preliminary Discussion Regarding 2022 Annual Meeting
3. Initial Feedback on ARC Email

Adjournment

BY ORDER OF THE PRESIDENT

The Board meets in accordance with Roberts Rules of Order. The participants are the Board members and the meeting will follow the published agenda. Owners are asked to submit questions on topics before the meeting, and the Board will address those questions. After a motion and Board

discussion on any votes, observers will be afforded 3 minutes per comment to add anything missed in discussion before vote. If time permits, the floor will be opened and observers invited to comment, within the 3-minute limit. Only agenda topics will be discussed. Other topics will be noted for future response.

This notice has been posted on the website on or before the 1st day of November 2021, will be distributed electronically and placed on the bulletin board located on the island at Sombrero Drive and Treasure Cay by order of the Board of Directors and in compliance with Chapter 720, F.S. and Association documents.

Notice of 12/6/2021 Board Meeting

One tap mobile for ZOOM

+19294362866,,84984769057#,,,,*753400# US (New York)
+13017158592,,84984769057#,,,,*753400# US (Washington DC)
Dial by your location

+1 929 436 2866 US (New York)
+1 301 715 8592 US (Washington DC)
+1 312 626 6799 US (Chicago)
+1 669 900 6833 US (San Jose)
+1 253 215 8782 US (Tacoma)
+1 346 248 7799 US (Houston)

SPANISH WELLS UNIT TWO HOMEOWNERS ASSOCIATION, INC.

Post Office Box 1565, Bonita Springs FL, 34133

www.spanishwellshoa2.com

Board of Directors Meeting

Monday, December 6, 2021, 1 pm, Via Zoom

CALL TO ORDER: A quorum being present, Vice President Wilkins called the meeting to order at 1:00 PM

BOARD MEMBERS IN ATTENDANCE: Officers: Scott Wilkins (Vice President), Frank Schwartz (Treasurer), Len Biernat (Secretary). Directors: Suzanne Newman, Jeff Chorba and Mike Longsfield. Absent: Don Meek. Residents: Dave Moretti, Bob Clarke, Kerry Thomas, and John Piper.

CONFIRMATION OF NOTICE: Notice of the meeting has been distributed in a timely manner and was posted in the customary locations.

Approval of The Minutes: Scott called for an approval of the minutes from the November 1, 2021 meeting. A motion was made by Scott and seconded by Mike to amend the minutes to correct the date of the budget from 2021 to 2022. The amendment and minutes were approved unanimously.

Reports by Officers:

President's Report (Don Meek): no report

Treasurer's Report (Frank Schwartz): Frank reported that 71 residents paid their assessment and of those 68 want email communication. He expects that Unit Two will have a cash surplus of \$27,000 at the end of the fiscal year. The report will be filed. Report attached.

Secretary's Report: (Len Biernat): no report

Committee Reports:

Nominating Committee: Scott reported the board terms for Frank and Don expire at the annual meeting. Both are willing to continue serving. Scott noted that we still need to send out vacancy notices to determine if other residents are interested in serving.

ARC/Compliance (Frank Schwartz): Report attached.

Social (Scott Wilkins): Scott is checking into dates for the January C& C. Possible dates are January 7 and 14.

SWCA (Scott Wilkins): Scott noted that the transition from Resort Management to IGP will still take place January 1, 2022. The SWCA Board will interview 3 candidates for the Community Association (CAM) position. The current CAM has agreed to be a consultant during the transition.

Old Business: 1. 2022 Assessment: Frank reported that 71 residents have paid their 2022 assessment. He will send out a second notice later this month.

2. Annual Meeting: The annual meeting is set for Monday, February 7, 2022. It was the consensus of the Board to have a hybrid meeting with both zoom and live at the clubhouse.

New Business: none

Scott declared the meeting adjourned at 1:17PM.

The next regular meeting of the Board will be Monday, January 10, at 1:00pm via Zoom

Respectfully submitted,

Len Biernat, Secretary. Spanish Wells Unit Two HOA, Inc.

Spanish Wells Unit Two HOA, INC FY 2021

Traditional Income Statement

01/01/2021 - 11/30/2021

Received November Interest Payment From Synovus
 Paid SWCA Maintenance For November
 Projected Cash Surplus 12/31/2021 \$27,000.00
 Paid USPS For PO Box Renewal
 Paid for 2022 Assessment Mailing
 Paid Synovus Service (Will get reversed)
 Collected 59 2022 Homeowner Assessments

Income	Amount	Annual Budget	Variance
Bank Fees Returned	\$19.60	\$0.00	\$19.60
Estoppel Certificate Fees	\$3,038.00	\$1,500.00	\$1,538.00
HOA Assessments From Homeowners 2021	\$372,240.00	\$372,240.00	\$0.00
HOA Assessments From Homeowners 2022	\$131,544.00	\$376,488.00	-\$244,944.00
HOA Assessments From Lot Owners 2021	\$2,356.00	\$2,355.00	\$1.00
HOA Assessments From Lot Owners 2022	\$1,200.00	\$1,200.00	\$0.00
Homeowner Late Fees	\$534.56	\$500.00	\$34.56
Interest Income	\$105.29	\$150.00	-\$44.71
Security Deposits	\$2,000.00	\$0.00	\$2,000.00
Summit Broadband	\$14.85	\$0.00	\$14.85
Total Income	\$513,052.30	\$754,433.00	-\$241,380.70
Expenses	Amount	Annual Budget	Variance
Auto-Owners Liability Commercial General Liability Coverage	-\$519.00	-\$450.00	\$69.00
Bank Fees Charged	-\$47.50	\$0.00	\$47.50
CAI Membership	-\$310.00	-\$310.00	\$0.00
Debt Reduction	-\$41,056.95	-\$44,789.00	-\$3,732.05
Florida Corporate Filing Spanish Wells Unit Two HOA	-\$61.25	\$0.00	\$61.25
Legal	-\$2,110.76	-\$4,200.00	-\$2,089.24
Money Minder	\$0.00	-\$159.00	-\$159.00
Paperform.co	-\$351.00	-\$390.00	-\$39.00
Postage and Office Supplies	-\$802.78	-\$700.00	\$102.78
Rosier Insurance travelers Company & Surety Crime Coverage	-\$514.00	-\$550.00	-\$36.00
Summit Broadband	-\$163,110.75	-\$177,923.00	-\$14,812.25
SWCA Master Association Fees	-\$139,226.23	-\$151,883.00	-\$12,656.77
United States Liability Insurance D&O	-\$1,116.00	-\$1,800.00	-\$684.00
Wix.com	-\$264.00	-\$264.00	\$0.00
Total Expenses	-\$349,640.12	-\$383,582.00	-\$33,941.88

Expenses	Amount	Annual Budget	Variance
Zoom	-\$149.90	-\$164.00	-\$14.10
Total Expenses	-\$349,640.12	-\$383,582.00	-\$33,941.88
Net	\$163,412.18	\$370,851.00	-\$207,438.82

YTD Information

Collected all annual assessments for 2021
 Received Final 2021 Assessments and Late Fees
 Received Estoppels for
 9895 El Greco
 28389 Sombrero
 28436 Sombrero
 28400 Sombrero (Paid an additional \$100.00 for rush estoppel)
 28374 Verde
 9883 El Greco Circle
 28376 Verde Lane
 Paid Florida Corporate Filing Certificate
 Filed 1120-H Federal Tax Return
 Paid Rosier Insurance For Crime Policy
 Paid Postage For Annual Meeting Announcements and Proxy Statement
 Paid For Certified Letters To Homeowners That Had Not Paid Annual Assessments
 Paid SWCA January Maintenance
 Paid SWCA February Maintenance
 Paid SWCA March April May June July August September October Maintenance
 Received Bank Interest From Synovus Jan Feb March April May June July August September October
 Paid Annual Membership Fee For CAI
 Paid Auto-Owners General Liability Insurance
 Paid Pavese Law Firm For Empty Lot Issues

Spanish Wells Unit Two Homeowners Association, Inc.
P.O. Box 1565
Bonita Springs, Florida 34133

November 2021 - Unit Two Architectural and Compliance Committee

28420 Verde	New Roof	Submitted & Approved
28368 Sombrero	Repaint Home	Submitted & Approved
28436 Verde	New Driveway	Submitted & Approved
28362 Sombrero	New Mailbox	Submitted & Approved
28437 Sombrero	New Windows & Doors	Submitted & Approved
28432 Sombrero	Repaint Home	Submitted & Approved
28394 Verde	Material Storage on Property	Submitted & Approved

Non-Compliance Letters/Email Sent

Issue	Owner	Address	Letter/Email Sent	Status	Comments
Dirty Roof	Kircher	28419 Sombrero	Email Sent	Litigation	Verdict Appealed
Dirty Roof	Witte	28436 Verde	Email Sent	Closed	
Dirty Roof	Cotsman	28512 Sombrero	Email Sent	Open	Litigation
Dirty Roof	Saidowsky	9851 El Greco	Email Sent	Closed	
Dirty Roof	Byers	9909 El Greco	Email Sent	Open	Litigation
Mailbox	Sutter	28437 Sombrero	Email Sent	Closed	
Mailbox	Murray	28377 Sombrero	Email Sent	Closed	
Mailbox	Morris	28396 Sombrero	Email Sent	Open	
Mailbox	Adams	28399 Sombrero	Email Sent	Open	Vendor To Repair
Mailbox	Luhmann	28440 Verde	Email Sent	Closed	
Mailbox	Neteler	28441 Verde	Email Sent	Closed	
Mailbox	Schultz	28444 Verde	Email Sent	Closed	
Mailbox	Williams In-Probate	28418 Verde	Owner Rep Notified**	Open	Needs new mailbox Estoppel Updated
Mailbox	Robinson	28370 Verde		Closed	
Missing Fence on Lanai	Woodford	27376 Verde	Email Sent	Closed	Fence Installed
RV in Driveway	Murray	28377 Sombrero	Email Sent	Open	

** Old mailbox was grandfathered in. Must be replaced with current standard.

Why do we have an ARC?
(Architectural Review Committee)

An ARC is an essential committee that is part of all Homeowners' Associations. It has the authority to regulate certain property details and to levy fines to guarantee enforcement.

Here at Spanish Wells, the Spanish Wells Community Association controls enforcement of those regulations that are common to all Units within the property. Those include such items as speed limits, community safety, and overarching building standards. Every Sub-Association within Spanish Wells has its own set of standards that are specific to their needs. Condominiums have different requirements than single family homes, which also differ from those Units with common property or landscape maintenance.

Here in Unit Two, we also have a much more limited set of standards and rules because each home is individually owned and maintained. Those standards are in place to protect property values of all neighborhood homes. Included in those rules are: house color, roof material, driveway material, major landscape changes and general exterior maintenance. This is pretty straight forward and can be found in <https://www.spanishwellshoa2.com/arc-master>. Approval from the ARC is required before any work can be started.

The complexity of the standards arrives with the subjectivity of what is proper maintenance. Roofs must be clean, landscaping not overgrown, mailboxes in consistent style and appearance. Those elements are judgement calls, and that is where the ARC has the unpleasant task of identifying noncompliance and taking the steps to rectify the situation.

For the most part our neighbors agree to the judgment of the ARC. Unfortunately, not everyone is compliant, specifically when it comes to cleaning roofs and replacing unsightly mailboxes which diminishes the value of our community.

The current regulations call for a fining process for those homeowners who refuse the ARC's request for improvements. The fining process is based on Florida's 720 laws. This can be lengthy and expensive because lawyers are usually involved.

We need to find a way of maintaining our standards without alienating any homeowners

Unit Two ARC needs your help. If you have any suggestions or recommendations, please respond to this message.

Spaniswells.unit2@gmail.com

Spanish Wells Unit Two HOA

ARC Email Responses

As of December 4, 2021

“Is it possible to “partner” with SWCA on this and revoke offending owners gate pass, which would force them to have to go through the vendors gate each time they enter? I believe SWCA has used this method against residents that violate their rules.”

“Having previously served as Chairman of the ARC, I have a couple of comments and suggestions. Feel free to ignore me.

As I recall, the vast majority of violations are concentrated in a small group of owners who don't respect the rules that they agreed to follow when they purchased their homes. In fairness to the vast majority who do respect the rules, it seems to me that consistent and aggressive use of fining committees is the only real option. True, this takes time and might entail legal fees, but in the long run, once word gets around that fining committee hearings actually lead to significant fines (which during my tenure they usually did not), an initial letter requesting compliance may be all that is necessary. One other suggestion: IF we are allowed to do so, we could make public the names and addresses of violators by posting the information on the Unit Two website and in quarterly emails to all Unit Two owners. I do not know if such public shaming would have any impact on the worst offenders, but it would at least let everyone know that we are not ignoring the situation.

In summary, I doubt that the Unit Two Board can take action that is both effective and unlikely to alienate some homeowners. Homeowners who are flagrant violators deserve to be alienated. They do not care about their neighbors' feelings, so I see no reason why we should care about theirs.

Thanks for your efforts to resolve this persistent problem”.

“Directly across from our house live three brothers, who share in homeownership, and each brother and their families are here frequently on a rotating basis. They are good neighbors and other than exterior lighting, there are no problems at all. The outside lighting appears to be high-intensity bulbs, which are usually on from supper time until after daybreak. The intensity of the lights shines into our windows and front doors to the extent that if I were to turn off our living room and kitchen lights, the rooms remain illuminated to the point that it's

easy to navigate around the furniture and kitchen counters. If someone were to drive by when the house is occupied, it would be easy to recognize the problem. My request is simple, just install bulbs that are warmer and less harsh. Thanks for your attention.”

“This document truly defines the purpose and functions of the ARC while, at the same time, outlines to the home owners exactly what their responsibilities are. I would consider incorporating this document under the ARC section on our website. That would add even more visibility which is evidently needed right now with the influx of new home owners.”

“Hello and thank you for reaching out to owners in regard to matters of this nature. In order to make any suggestions I would like to first ask some questions. I apologize if there is a way I can find this information out without having to ask you. How many members are on this committee? Is there one person responsible for inspecting the homes for unsightly issues or do multiple people share the responsibility? Has the committee established examples of what is unsightly, documented any pictures without identifying homeowners? Has anyone reached out to other communities in the area to get an idea of how they enforce standards or address issues of the nature? What is the process of notifying homeowners of issues? If you could get back to me I would appreciate it”

Traffic Overview

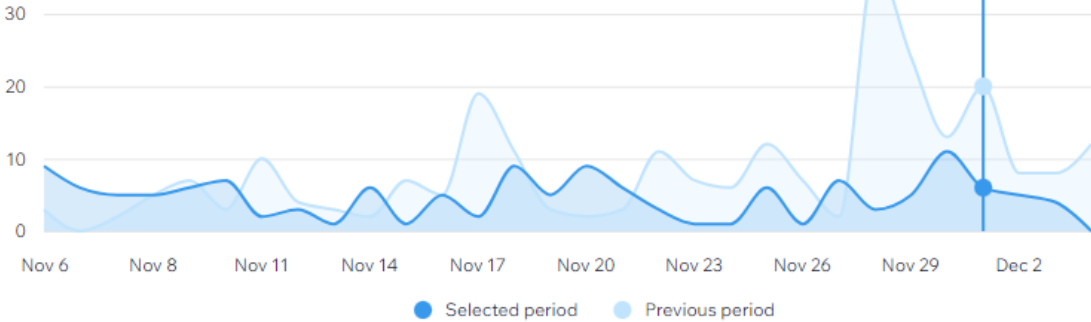
Last 30 days (Nov 7 - Today) compared to previous period (Oct 8 - Nov 6, 2021)

Site Sessions
140 ↓ 45%

Unique Visitors
97 ↓ 48%

Avg. Session Duration
4m 46s ↓ 23%

Sessions over Time



[See full report](#)