

SPANISH WELLS UNIT TWO HOMEOWNERS ASSOCIATION, INC.
MONDAY, MAY 6, 2019 1 P.M.
CARD ROOM AT SPANISH WELLS GOLF & COUNTRY CLUB
9801 TREASURE CAY, BONITA SPRINGS, FL 34135

CALL TO ORDER: A quorum being present, President Meek called the meeting to order at 1:00 P.M.

BOARD MEMBERS IN ATTENDANCE: Officers: Don Meek (President), Frank Schwartz (Treasurer), Karen Benson (Secretary). Directors: Pegie Morris, Howard Smith (on the phone). Directors absent: Scott Wilkins, Diane Floyd. Residents in attendance: Joe Maccarone, Larry Johansen.

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

FIRST ORDER OF BUSINESS: Meek told the Board that the meeting regarding an ARC violation had been canceled because the issue has been resolved.

APPROVAL OF THE MINUTES: The second order of business was to approve the minutes from April 8, 2019. Frank Schwartz made a motion to approve the minutes as written. Pegie Morris seconded the motion. The motion was approved unanimously. Voting yes: Don Meek, Frank Schwartz, Karen Benson, Pegie Morris, Howard Smith.

REPORTS OF OFFICERS

PRESIDENT'S REPORT (DON MEEK): Meek informed the Board that 4 Board members had attended a meeting in April for an educational update. Legal certificates were issued to those who attended (Schwartz, Morris, Meek and Wilkins). Meek described some of the elements of the meeting to those who had not attended.

TREASURER'S REPORT (FRANK SCHWARTZ): Schwartz had previously submitted to the Board a report of the income and expenses. Schwartz spent time reviewing the report which is attached. Schwartz informed the Board that the check from Summit had been received and deposited, and that our bank has a new name (SYNOVUS). The transfer of money and information was smooth and there are no changes. Schwartz brought the Board up to date on a transfer of funds which will be reversed, if the funds are not used.

SECRETARY'S REPORT (KAREN BENSON): No report.

REPORTS OF COMMITTEES

ARC/COMPLIANCE (FRANK SCHWARTZ): Schwartz had submitted his report to the Board prior to the meeting and distributed an updated report to all (see attached) and discussed the changes with those present.

NOMINATING COMMITTEE (HOWARD SMITH): No report.

SOCIAL COMMITTEE (PEGIE MORRIS): Morris discussed her plans for C & C, going forward. The Board engaged in a discussion on the structure of the future of C & C's. Schwartz moved to have Morris hear from the club sales director regarding partnering with HOA Two with our C & C as well as producing a letter to go on our website. Benson seconded the motion. The motion was passed unanimously. Voting yes: Meek, Schwartz, Benson, Morris, Smith. Morris and Benson will meet to discuss and write the letter.

SWCA: Scott Wilkins had distributed his report to the Board prior to the meeting. There was no discussion regarding the report.

OLD BUSINESS:

1. Meek moved to approve the revised Rules Document, created by Floyd. Schwartz seconded the motion. The motion was passed unanimously. Voting yes: Meek, Schwartz, Benson, Morris, Smith. The Rules document will be sent to our lawyer for approval and then posted on our website.
2. Schwartz brought up the issue of mailboxes from the last meeting. He had done research and found a possible mailbox to replace our existing one. He will investigate further and report back to the Board next June, giving time to determine if the new boxes in Unit One withstand our climate elements.

NEW BUSINESS:

1. Membership in CAI (Community Association Institute), a nation-wide trade association. Schwartz will inquire about the costs and level of participation and report back to the Board.
2. The question of publishing as attachment the reports sent to the Board meeting as an addendum to the minutes. Schwartz moved to attach to the minutes, as published, the individual committees' and officers' reports as written. Morris seconded the motion. Voting yes: Meek, Schwartz, Benson, Morris, Smith.
3. "Did You Know," a document created by Floyd. A general discussion followed. A motion was made by Schwartz to have those who are out of compliance of various items in the document receive reminders prior to any legal action. Meek seconded the motion. The motion was passed unanimously. Voting yes: Meek, Schwartz, Benson, Morris, Smith.
4. An owner who has been remiss in mowing his vacant lot. There was a general discussion on what to do. Schwartz will discuss the legal ramifications with our lawyer and get back to the Board. Meanwhile, a letter has been sent to the resident, with the lawyer's approval.
5. Legal fees. The issue was tabled until the next meeting.

ADJOURNMENT:

Meek moved to adjourn the meeting t 2:10 PM The motion was approved unanimously. Voting yes: Meek, Schwartz, Benson, Morris, Smith.

The next meeting will be June 3, 2019 at 1 PM in the Card Room at the Spanish Wells Golf and Country

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

April 2019 - Unit Two Architectural and Compliance Committee

May 6, 2019 Board Meeting

New Roof	28410 Verde	Submitted and Approved
Paint House/Trim	9873 El Greco Cir	Submitted and Approved
New Windows	28414 Verde	Submitted and Approved
New Roof	9885 El Greco	Submitted and Approved
New Roof	9926 El Greco	Submitted and Approved
Tree Removal	28411 Sombrero	Submitted and Approved
Hurricane Shutters	28424 Sombrero	Submitted and Approved
New Driveway > Pavers	28429 Sombrero	Submitted and Approved

Non-Compliance Letters Sent

Issue	Address	Letter Sent	Status	Comments
Dirty Roof	9851 El Greco	3/18/2019	Closed	
Dirty Roof	9879 El Greco	3/18/2019	Open	Due by 5/18/19
Dirty Roof	9889 El Greco	3/18/2019	Closed	
Dirty Roof	9914 El Greco	3/18/2019	Closed	
Dirty Roof	28376 Sombrero	3/18/2019	Closed	
Dirty Roof	28381 Sombrero	3/18/2019	Closed	
Dirty Roof	28505 Sombrero	3/18/2019	Closed	
Dirty Roof	28514 Sombrero	3/18/2019	Open	Due by 5/18/19
Dirty Roof	28388 Verde	3/18/2019	Closed	
Mailbox Maintenance	9851 El Greco	3/18/2019	Closed	
Mailbox Maintenance	9871 El Greco	3/18/2019	Open	Due by 5/18/19
Mailbox Maintenance	28510 La Pluma	3/18/2019	Open	Due by 5/18/19
Mailbox Maintenance	28517 La Pluma	3/18/2019	Closed	
Mailbox Maintenance	28521 La Pluma	3/18/2019	Open	Due by 5/18/19
Mailbox Maintenance	28368 Sombrero	3/18/2019	Closed	
Mailbox Maintenance	28369 Sombrero	3/18/2019	Closed	
Mailbox Maintenance	28429 Sombrero	3/18/2019	Closed	
Mailbox Maintenance	28430 Sombrero	3/18/2019	Closed	
Mailbox Maintenance	28433 Sombrero	3/18/2019	Closed	
Mailbox Maintenance	28436 Sombrero	3/18/2019	Closed	
Dirty Driveway	9890 El Greco	3/18/2019	Closed	
Dirty Driveway	28440 Sombrero	3/18/2019	Open	Due by 5/18/19
Landscaping Upgrade	28385 Verde	3/18/2019	Closed	
New Pool Cage/Lanai	28436 Verde	3/19/2019	Open	Temp Fence installed. Planning to replace cage.
Long Standing Sign	28441 Verde	3/16/2019	Closed	
Lot Maintenance	9889 El Greco	4/3/2019	Closed	
Lot Maintenance	9889 El Greco	5/3/2019	Open	Notice Sent

Requests Sent to SWCA > John Zizzo

Email sent to Resort Management (Zizzo) regarding trees growing into Treasure Cay property from Madeira Drive > Resolved

Notes: All ARC requests are reviewed by Frank Schwartz & Scott Wilkins

Financial Results for April 2019 through May 6, 2019
April 1, 2019 Through May 6, 2019 Comments

Paid SWCA \$59,785.88 for April/May

Received interest of \$252.48 for April from our Money Market account.

Received Door refund check from Summit for \$20710.25

Year to Date:

We currently have \$238,002.80 cash in our account.

Paid SWCA	\$146,964.70
Paid Bleeding Edge Internet \$300.00 for our website	\$300.00
Paid Rosier Insurance for Crime Coverages	\$504.00
Refunded two homeowners who had overpaid their annual assessment.	\$134.15
Paid to update the Florida Corporate Incorporation document.	\$70.00
Paid for office supplies, postage and printing	\$622.66
Paid a bank service fee (refunded in February)	\$5.00
(Owner paid to collect illegible check amount	\$100.00
Bank Refunded maintenance fee	\$5.00
Received bank interest	\$1,101.12
Received an Estoppel fee from the Burtons	\$250.00
Received an Estoppel fee from Byers	\$250.00
Filed our 2018 1120-H Tax return	
Collected late fees	\$241.32
Refunded Florida National Title for overpayment	\$250.00
Paid Pavese Law Firm for Annual Meeting Work	\$241.68
Received Door Refund Check from Summit	\$20,710.25
Received Credit from Metavante Corp for Funds Not Cashed	\$35.00
Paid Pavese Law Firm for legal documents	\$1,837.75
Received Estoppel fee from Mkrdichian	\$250.00

Financial Overview

Started April 1, 2019 with	\$277,128.70
Received deposits for April 2019 > May 6, 2019	\$21,747.73
Received BANK interest (included in received deposits)	\$252.48
Paid out a total of	\$60,873.63

There are some important things to note.

1. We have outstanding payments of \$205,750.58 to SWCA (June 2019 > Dec 2019)
2. We have \$10,000 remaining in miscellaneous expenses ⁽¹⁾
3. Anticipate an additional \$2,980.94 in interest and estoppel fees

Summary of projected cash:

Current cash balance	\$238,002.80	
Remaining Interest and estoppel fees	\$ 2,980.94	
	Total	\$240,983.74
Planned Expenses	\$215,750.58	
	Cash Surplus	\$25,233.16

Note 1: Added \$8,000.00 in anticipated legal fees to planned expenses

Frank Schwartz
VP- Treasurer

SWCA Board Meeting April 17, 2019

This was a regular SWCA board meeting

President Bill Vandergrift had two announcements

- The Revised Governing Documents have been sent to SWCA's lawyers for review. Once that is completed the docs will be distributed to residents, town hall meetings will be held, and, depending upon how many changes need to be made, a special meeting will be called to vote on them.
- SWCA requested a legal opinion on whether or not it can turn off Summit internet and television to residents who have not paid their annual dues. The opinion came back that SWCA can't cut it off because of non-payment to a Sub HOA. However, there may be a way to administratively reply to an indemnified request from a Sub HOA board. This will be researched and revisited at the next board meeting.

John Zizzo, Community Association Manager, provided a report. Highlights are:

- 3 property sales in March generated \$6,000 in income
- Landscaping on island at Sombrero and Treasure Cay has been redone. Work still to do on repairing knee wall and fastening loose material to brick facade.
- Delayed audit of both SWCA and SWG&CC is in the final stage. Should be completed in shortly.
- Continuing to solicit bids for Drainage project 101 – White Sands area where there is persistent flooding during rain events. Have met with engineers, used ground penetrating radar to locate pipes. Have been unable to find them. This is going to be a challenging project.
- The delayed wall construction between Hidden Lakes and Spanish Wells has commenced with destruction of the old wall underway.
- New plantings and a new American Flag have been added to the front entrance.

SWCA financial report

- Roofing Brothers of Naples was selected to repair the leaks in the Club House roof. They will repair the water damaged section of the roof and install a 28 Mil thick coat of silicone membrane on the flat portion. Cost will be \$44,800. It will have a 10 year warranty. Two other bids were rejected as being too high.
- The Golf Course transferred \$105K to SWCA from 2018 profits. These monies will be used to fund Golf Club capital improvements in 2019.
- SWCA finances continue to be healthy

Technology & Communications:

- A SWCA newsletter has been drafted and should be sent out in the next week or so. Will be published quarterly
- The two community channels, Channel 102 for SWCA & channel 103 for the Club, are now operational.

Asset Oversight Committee (AOC):

- CAPEX (Capital Expenditures) for 2019 were recommended by the AOC and approved by the board. They are:

Pump House Mother board replaced

Pump House #3 Pump Motor replaced

Replace Condenser Coil & one control board on Kitchen HVAC

Repair leak in Clubhouse roof and put membrane on flat portion

Tee renovation on 27 holes

Dumpster Fence

Range Ball Machine

Remove Dead Trees

Trim Plam trees on Golf Course

Tree Planting Program

Contingency for HVAC replacement cost and other unanticipated CAPEX Needs.

- All 27 tee boxes will be redone this summer. One course will be shut down at a time. After the tee boxes are redone and sprigged, temporary tees will be established and the next 9 will be worked on.
- There has been no development on receiving the potential, additional \$500K of insurance claim proceeds that may be sent to SWCA.

Club:

- Golf rounds through March were 21,673. Revenue generated was \$1,258K. Net profit is 11% over projections.
- Membership the end of March was 434. Up 8 over the end of Feb.
- A Range Ball dispensing machine was approved and will be installed by the end of summer. It is expected to pay for itself within the first year by eliminating ranger and bag boy hours.
- The Club continues to be healthy financially.

Misc.

- Permitting process for the west wall extension along Las Brisas is taking longer than anticipated.
- Wall has been moved back onto Milhaus property and slope has been adjusted to facilitate water flow towards Sterling Oaks.
- Tabled a proposal to form a landscaping subcommittee to maintain a “replenishment garden” to grow trees, bushes, etc for placement around Spanish Wells. Wording and correct process will be developed and subject will be discussed at next Board Meeting.

Scott Wilkins, SWCA Representative

"RULES" for SW Unit Two HOA - FINAL (4/10/19)

1. ***Paint colors for exterior of homes*** — Submissions to the Architectural Review Committee must include the color name and color code from a manufacturer's color chart (e.g., Sherwin Williams, Behr, etc.), and a physical sample of the color, such as a manufacturer paint chip card or other physical sample.
2. ***Lawns, Landscapes, and Xeriscapes*** — Lawns, Landscapes and Xeriscapes must comply with the requirements set forth in 5.1 of the Declarations. Additionally, grass lawns and vacant lots cannot exceed six inches (6") in height.
3. ***House numbers*** — To ensure prompt emergency response per local safety requirements, address identification numbers are required to be in a contrasting color, at a size of at least 4 inches (4") tall, and posted on a wall of the house or garage that faces the street.
4. ***Mailboxes*** — Mailboxes are to be maintained and replaced by homeowners at their own expense. As noted in the Declarations, 5.6, mailboxes must be uniform. The board may require a specific style and/or manufacturer for mailboxes.
5. ***Signs, placards, banners*** — No sign of any kind shall be displayed to public view on any lot except for the following:
 - (A) Real Estate signs: One "For Sale" sign shall be permitted. During supervised real estate open houses, one "Open House" sign may also be erected on the lot. Inside or outside window signs are not permitted. No real estate sign shall be of a size exceeding 24 inches by 24 inches (24" x 24"), may not exceed four feet (4') in height from the ground to the top of the sign, and must be placed at least fifteen feet (15') from the street. No real estate signs shall be placed at the rear of the property.
 - (B) Contractor/Vendor signs: Must conform to the requirements as to number, size, and location that apply to real estate signs as described above. Contractor/vendor signs must be taken down within 24 hours of the work's completion.
 - (C) Political signs: Signs supporting political candidates are allowed, but they must conform to the requirements as to size, and location that apply to real estate signs as described above. Only one sign per candidate may be displayed, beginning 30 days before the election for which the candidate is running, and ending 48 hours after that election is over.
 - (D) Security signs: Signs indicating an operating security system on the premises may not be larger than 12 inches tall by 24 inches wide (12" x 24") and may not exceed three feet (3') from the ground to the top of the sign.

6. ***Lease/Rental Advertisements and Offerings*** — Offerings of a property for lease or rent, whether in print, on a website, or other venue, must note that the minimum allowable lease period is 30 days.
7. ***Roofs*** — All roof replacements require approval by the Architectural Review Committee. Homes currently with tile roofs may be replaced only with a tile roof. Asphalt/shingle roofs are only allowed when replacing an asphalt/shingled roof. Metal roofing resembling tiles may be allowed, but never flat, standing seam metal. Only tile roofing is allowed on new construction.
8. ***Noise-free Days*** — To assure a period free of noises, no mowing, power washing, leaf blowers or similar power equipment may be used before 12 noon or after five PM on Sunday. This includes use by the homeowner.

NOTE: Conformance with these rules does not exempt a homeowner from complying with all other requirements as outlined in the Declarations, including the ARC (Architectural Review Committee) application and approval process.

Spanish Wells Unit Two Homeowners Association, Inc.

P.O. Box 1565

Bonita Springs, FL 34133

Every once in a while, it's important that we remember what some of the basic rules and "Good Neighbor Practices" are, relative to living in Spanish Wells. The following suggestions and guidelines are being sent to you as a courtesy.

Trash Removal

Trash removal and recycling are scheduled for Friday mornings. You may place your lidded containers at the end of your driveway on Thursday no earlier than 4:00 pm. Once emptied, your containers should be returned to their normal location. Remember, prior to pick-up, place the containers at least 6' apart from each other at the end of the driveway, so the trash vehicles can lift them up.

Yard Waste

Yard waste is picked up on Tuesday morning starting at 6:30am. Place your yard waste out no earlier than 4:00 pm on Monday.

Yard Waste will be recycled and MUST be collected separate from other waste. Yard Waste includes: Grass Clippings, Tree Limbs, Palm Fronds, Branches, and Leaves. Tree limbs and branches must either be containerized or securely tied in bundles that are no longer than 6 feet in length and weigh less than 50 pounds. UP TO 50 pounds of unbundled palm fronds per collection are picked up if placed neatly at the curb.

Recycling Guidelines

Recyclable Items Include: newspapers, magazines, catalogs, telephone books, corrugated cardboard, computer and office paper, junk mail including envelopes, clean pizza boxes, beverage boxes, cereal boxes, shoe & gift boxes, aluminum cans and clean foil, plastic containers marked with a # 1 through # 7, glass bottles and jars (clear, brown, and green), and metal cans including empty aerosol cans. Recyclable items are to be placed in the blue trash barrel provided by Lee County and each household should have one.

Unacceptable Items: Plastic coated cardboard boxes, juice cartons, pots/pans, door screens, lawn furniture, cooking utensils, tools, car parts, license plates, knives, forks & spoons, dishes, drinking glasses, cookware, (Pyrex, Corning etc.), mirrors, windows, medicine bottles, plastic grocery bags, auto fluid containers, pool chemicals, & acid containers, polystyrene trays, flower pots, egg cartons, Styrofoam, shredded paper bagged or not bagged, and newspaper sleeves. All unacceptable items MUST go in a separate lidded container.

Pets

A maximum of three (3) pets is permitted per household. Pets must be carried under the owner's arm or leashed at all times when outside the owner's property. Owners must remove feces immediately from the common areas and lawns and dispose of the fecal matter in their own sanitary trash containers.

Address Markers

Each home must display the street address number on the home so that it is easy to read from the street. The numbers must be at least 4 inches tall, in a contrasting color and displayed horizontally on a wall that faces the street. This is also a requirement from the City of Bonita Springs. Emergency vehicles must be able to find your house without delay in case of an emergency. If you can't easily read your homes address marker from the street, you should consider changing the marker. In an emergency, seconds could be critical!

Leasing of Homes

The following restrictions shall apply to the leasing of the homes in the community:

(A) All leases must be in writing and submitted to the HOA Unit Two Board for approval even if no rent or other consideration is involved.

(B) The minimum lease term is thirty (30) continuous days. No new lease may begin until at least thirty (30) days have elapsed since the first day of the last lease. No lease may be for a period of more than one (1) year, and no automatic option for the lessee to extend or renew the lease for any additional period shall be permitted. See the Covenants and Declarations for Spanish Wells Unit 2 HOA on our website. <http://spanishwellshoa2.com/residents/foryourinfo.aspx>

Special Note on Leasing/Renting

Florida's homestead exemption on property taxes allows people who permanently live in the state to exempt up to \$50,000 of a property's value from tax assessments. This exemption is not available to any investment properties; therefore, homeowners who plan to rent their residence must meet several standards, including the duration of the rental, to avoid losing the exemption.

"Lee County and Florida Law" Regarding the Homestead Exemption: Property owners who receive the homestead exemption on their residence need to be aware that personally renting their property or renting through home-sharing or collaborative consumption companies may constitute abandonment and, therefore, loss of the homestead tax exemption.

Check with the Lee county property appraiser's office or your Real Estate Attorney; Remember Unit Two also informs Lee County of any rental residences to ensure the appropriate taxes are paid.

Irrigation (Bonita Springs Water Conservation Ordinance 06-06)

Homeowners may irrigate only two days + an optional third day.

- Odd-numbered street addresses may water lawns and landscapes on Mondays, Wednesdays and/or Saturdays, midnight until 9 a.m. OR after 5 p.m. until midnight.
- Even-numbered street address may water lawns and landscapes on Tuesdays, Thursdays and/or Sundays only, midnight until 9 a.m. OR after 5 p.m. until midnight.

Irrigation is not permitted on Fridays

Landscaping

Lawns, Landscapes and Xeriscapes – Grass lawns cannot exceed six inches (6") in height. This is for both homes and vacant lots.