

IMPERIAL GOLF ESTATES E-MAIL NEWSLETTER

September 2022 Our Website → www.Imperialgolfestates.org

BOARD OF DIRECTORS

President

Gale Schwartz

gmschwartz@aol.com

Vice-President

John Mickelson

Mickthecop@aol.com

Treasurer

Conrad C. Peacock

cpeacockigehoa@aol.com

Secretary

Jim Wilson

jwilsonige@yahoo.com

Directors

Edward (Ted) Anderson

tedanderson.ige@aol.com

Pamela Falcigno

falcigno@comcast.net

Tom Harruff

tomharruff@comcast.net

Superintendent

Mark Thieme

imperialmarkthieme@gmail.com

SEPTEMBER 2022 BOARD MEETING

The Board met in person and via teleconference on Thursday September 8, 2022 at 10:00 am. Notice of the meeting was posted on all community bulletin boards, on our website, and in the previous Newsletters. HOA members could participate in person or via conference call. All members who have provided us with a valid email address were also sent an email with details on how to join the meeting. The meeting was attended by 3 residents in person and 2 residents by teleconference.

BLACK BEAR ISSUES

Several community members have contacted the Board about the black bears that share our community with us. The Board can not remove these bears. Here is the Florida Statute prohibiting anyone from harming the bears.

What is the full name of the 'Bear Rule'?

The full name of the Bear Rule is the [Florida Black Bear Conservation Rule 68A-4.009](#), Florida Administrative Code (F.A.C.).

What does the Bear Rule actually do?

The rule means that, although the Florida black bear was removed from the list of State-designated Threatened Species (68A-27.003, F.A.C.) in June 2012, it is still unlawful to injure or kill bears without prior authorization from the Commission. The rule also states FWC will continue to engage with landowners and regulating agencies to guide future land use to be in line with the objectives of the Florida Black Bear Management Plan.

What are you not allowed to do according to the Bear Rule?

You are not allowed to “take” a bear. The Bear Rule relies on the definition of take in Rule 68A-1.004, F.A.C., which includes pursuing, hunting, molesting, capturing, or killing, or attempting those actions, whether or not such actions result in possession of the bear. In addition to take, Rule 68A-4.009, F.A.C., generally prohibits anyone from possessing, injuring, shooting, wounding, trapping, collecting, or selling bears or their parts or attempting to engage in such actions without prior authorization from FWC.

What are the penalties for violating the Bear Rule?

Violation of the Bear Rule is a criminal misdemeanor, which can result in fines up to \$1,000, and/or up to 1 year in jail, and/or the loss of recreational licenses for 3 years for a first offense. Multiple offenses can result in higher penalties, longer imprisonment, and/or permanent suspension of recreational licenses.

Are you allowed to scare a bear off your property?

FWC does not consider it to be a violation of the Bear Rule to scare a bear off your property by yelling, banging pots and pans, using an air horn, honking a car horn, shooting with paintball pellets, or using bear spray. Please follow the FWC [guidelines](#) on how to safely scare a bear from your property. You can also use a motion-sensitive device (e.g., Critter Gitter®, Water ScareCrow®) that displays flashing lights, emits loud noises, or deploys a spray of water when something approaches the device.

Does FWC issue permits to allow people to ‘take’ bears?

The Bear Rule describes situations in which FWC can issue permits to allow the intentional take of bears. For example, the collection of scientific data needed for conservation or management of the species or taking bears that are causing property damage when no non-lethal options can provide practical resolution to the damage, and the Commission is unable to capture the bear. Additionally, Commission Rule [68A-1.004](#) defines bears as a game species, [68A-9.007](#) defines the special use bear permit, and [68A-13.004](#) allows for the opening of a bear hunt.

What is the exact language of the Bear Rule?

- (1) No person shall take, possess, injure, shoot, collect, or sell black bears or their parts or to attempt to engage in such conduct except as authorized by Commission rule or by permit from the Commission.
- (2) The Commission will issue permits authorizing intentional take of bears when it determines such authorization furthers scientific or conservation purposes which will benefit the survival potential of the species or to reduce property damage caused by bears. For purposes of this rule, activities that are eligible for a permit include:
 - (a) Collection of scientific data needed for conservation or management of the species;
 - (b) Taking bears that are causing property damage when no non-lethal options can provide practical resolution to the damage, and the Commission is unable to capture the bear.

(3) The Commission authorizes members of the public to take a bear in an attempt to scare a bear away from people using methods considered non-lethal. Staff shall authorize specific methods and situations that qualify for this authorization at <http://MyFWC.com/bear/>.

(4) The Commission will provide technical assistance to land owners and comments to permitting agencies in order to minimize and avoid potential negative human-bear interactions or impacts of land modifications on the conservation and management of black bears. The Commission will base its comments and recommendations on the goals and objectives of the approved Florida Black Bear Management Plan. The plan can be obtained at MyFWC.com/Bear

In summary, the HOA is restricted by State law from pursuing, hunting, molesting, capturing, killing, or attempting any actions in regards to the bears. In addition to take, Rule 68A-4.009, F.A.C., generally prohibits anyone from possessing, injuring, shooting, wounding, trapping, collecting, or selling bears or their parts or attempting to engage in such actions without prior authorization from Florida Wildlife Commission.

RULES

A few months ago, we started a section in the Newsletter that was dedicated to reviewing the existing rules within our community. So far, we have covered the flag rules, sign rules, and Architectural Review Board rules. This month we wish to remind everyone about the rules regarding barking dogs. Here is the rule:

7.19. No Lot Owner or occupant shall make or permit any disturbing noises by himself or his or her family, employees, agents, visitors or pets, nor permit any conduct by such persons or pets that will interfere with the rights, comforts or conveniences of any other Lot Owner or occupant. No Lot Owner or occupant shall play or permit to be played any musical instrument, phonograph, television, CD, radio or sound amplifier on his or her Lot in such a manner as to disturb or annoy other residents. No obnoxious or offensive activity shall be carried on within the community or upon any part, portion or tract thereof, nor shall anything be done during or which may become a nuisance or an annoyance to the neighborhood.

In addition to possible HOA fines for barking dogs, Collier County has a code enforcement division that handles animal complaints. Here is a link to the county's frequently asked questions about pet issues.

Collier County Barking Dog / Animal Noises FAQ's.

We also have to once again remind pet owners to clean up after their pets. We still find plastic bags filled with animal waste left in our parks and along the sidewalks. Please pick up after your pets.

STORMWATER MANGEMENT UPDATE BY TOM HARRUFF

Collier County Stormwater Management has received the final Johnson Engineering draft report and it has undergone a Collier County comprehensive review & comment process. The consulting engineer is finalizing the report and the County expects to receive it in approximately two weeks. They will forward the final report to IGEHOA at that time. We will use these study results and recommendations to negotiate an agreement with the County to take over maintenance of the Phase 1 & 2 drainage swales as previously discussed in prior Newsletters.

BACK GATE REPAIRS

As reported in the last few Newsletters, we have been having issues with the back gate. The gate arms have come down and damaged several vehicles. We have also identified driver issues that contributed to the incidents. Some damage has been caused by drivers tailgating other vehicles and not waiting for the gate to reset. Another cause was a driver activating the gate, but then hesitating 5 to 6 seconds before proceeding through the gate. The gate was on a timer. When a car hesitates, the gates will come down after an allotted time. A third cause was vehicles towing a trailer, which is prohibited. No trailers are ever allowed through the back gate.

The repairs the Board has authorized will remove the gate arms from the current timer. The gate will operate on a system that registers when the vehicle has passed through the gate before closing. This should avoid any problems with drivers hesitating. It will not fix the tailgating issue, but tailgating is also never allowed.

The Board hopes these repairs will eliminate the recent issues with the back gate. The Board also feels compelled to remind drivers that violation of the back gate rules will result in a loss of back gate privileges for periods of time. If you tailgate, allow others with no pass to tailgate, or if tow anything behind your vehicle, you will lose your back gate privileges. We do have cameras recording full time at the gate. This has helped us to identify violations. Your Board is dedicated to ensuring the back gate remains operational and that violations are handled appropriately. We have also changed vendors for the back gate.

BUBBLER SYSTEM IN ZACH'S LAKE

The bubbler aeration system in Zach's Lake is now fully operational. Thanks for the patience to all of you who assisted us with this project. We are in the process of working to stock the lake with fish that will assist with water quality and bug control.

VETERAN'S ROAD UPDATE

As we previously reported, the County has verbally agreed to build an acoustic sound barrier wall along Veteran's Boulevard. This is an approximately 2.2 million dollar expense for the county. The county has decided to seek bids for this wall. It will take some time for the county to seek proposals and then pick the winning bid. Once they have made this decision, it will be forwarded to the county board for the expected ratification.

NEW SCHOOL UPDATE

The new school issues are somewhat complicated. As of this newsletter, the school district has yet to provide us with their updated landscaping plan. Until we see their final plan, there is little to inform you about. However, their plan will still include a fence, a berm, and vegetation between the school and our community. This limited barrier is all the school is required to do.

The committee that was established to assist the Board with this project has recommended a wall be added to the landscaping project. A majority of the homeowners along our border with the school also prefer a wall be added for security purposes. This is where it gets complicated. The school will not pay for a wall, nor do we have any authority to make them do so. They have made it clear to us they will not fund a wall. Here are some of the other issues with the HOA building a wall on our own.

Funding:

The Board cannot authorize an expense of this nature. This would be considered a special assessment under our governing documents due to the expected amount of funds required.

Here are our rules for a special assessment:

“Special Assessment”. Special assessment means any assessment levied against a Lot Owner other than the assessment required by a budget adopted annually.

Written notice must be delivered to every property owner explaining all the details of the proposed special assessment and when such assessment would occur.

Any such special assessment must be approved by a vote of at least two-thirds (2/3) of the Members who are present, in person or by proxy, at a meeting duly called for this purpose.

What this means is that the Board must hold a vote with the entire community to obtain the funds for a special assessment to build the wall.

Placement:

If we get community approval for funding this wall, where would it be built? The school district is highly unlikely to allow us to place the wall on their property. At the property line of the school and our community, we have a drainage swale. The county already has an easement along this area for water and utility issues. The Board is also currently negotiating with Collier County Stormwater Management for the Country to take over maintenance of the drainage swales in Phases 1 and 2.

Any decision to build a wall along the swale would require negotiations with the county and the water management agency. We could not build a wall without their agreement. The other option is to build the wall on the property line of the homeowners who border the school. This would require negotiations with, and permission from, every homeowner along the border with the school.

Your Board has authorized our property manager to get quotes to see what the actual expense would be to build a wall. It would not be an acoustic wall, but it would add privacy and extra security to our entire border along the school. We will keep you informed in future newsletters about this issue.

SPEEDING VEHICLES AGAIN

As we have previously reported for the last several months, speeding is an issue within the community. The Sheriff's office has increased patrols and we have witnessed several traffic stops by deputies for speeding.

Your Board is also considering purchasing portable speed bumps to place in some areas. Especially going South on Imperial Golf Course Boulevard from the 4 way stop. If our pleas for speeding to cease does not work, the Board will move forward with portable speed bumps.

GRASS CLIPPINGS AND OUR SEWER SYSTEM

The Board has received reports that residents, (not lawn services), are placing grass clippings and vegetation debris in the gutters and sewers. This is not allowed. This will not only clog sewer lines, but it will also cause the clippings to enter into our lakes. Putting clippings, and the chemicals used to treat the grass, into our sewers and lakes is environmentally unsound and can damage water quality in the lakes. Please be responsible and bag your clippings.

ELECTIONS TO THE BOARD

There will be an election for four Board positions this year. Gale Schwartz, Tom Harruff, John Mickelson, and Pam Falcigno are up for re-election. The votes are counted at the annual meeting, but ballots are distributed 60 days prior to the election. We are aware there will be open positions on the Board for this election cycle. As the HOA election period starts in November, information will be forthcoming in the October Newsletter about the process for filing for election to the Board and how to vote.

PRESIDENT'S REPORT BY GALE SCWARTZ - SEPTEMBER 2022

Below is an Internet link to President's Report which is posted on our web site. Topic's discussed include: GIB update, back gate issues, landscaping, the 2023 budget, Zach's Lake, and on-going maintenance.

Click here → [**Presidents Report September 2022**](#)

TREASURE'S REPORT BY CHUCK PEACOCK - SEPTEMBER 2022

Below is an Internet link to Treasurer's Report which is posted on our web site.

Click here → [**Treasurer's Report September 2022**](#)

Click here → [**Financial Report for July 2022**](#)

ARCHITECTURAL REVIEW BOARD REPORT SEPTEMBER 2022

Please remember no work can begin until the ARB Committee has reviewed and approved any request.

Click here → [**ARB Report September 2022**](#)

SEPTEMBER 8, 2020 BOARD MEETING MINUTES

We post the meeting minutes as soon as they are available, but they are not approved until the next meeting.

Click here → [**September 8, 2022 Meeting Minutes**](#)

HOA 2022 MEETING SCHEDULE

ALL MEETINGS ARE HELD IN THE GOLF COURSE LOWER LEVEL MEETING ROOM ON THE SECOND THURSDAY OF EACH MONTH

October 13, 2022	10:00 am
November 10, 2022	6:00 pm
December 8, 2022	10:00 am

The Annual Meeting will be held on January 23, 2023 at 6:00 pm in the main meeting room of the golf club.

New School Construction and Veteran’s Road Expansion Committee:

- Chair - Charlie Litow – Veteran’s Road
- Chair – Jim Shelly – New School
- Board member – Tom Harruff
- Greg Biada – Member
- Pam Falcigno – Member
- P.J. Marinelli – Member
- Gary West – Member

If anyone has an interest in serving on a committee, please contact Vesta and let us know you are interested in serving.

Other Board Assignments are as follows:

- | | |
|----------------------------------|----------------------------------|
| GIB Board Representative | Gale Schwartz |
| Entrada Gate Maintenance | Jim Wilson |
| Architectural Review Board Chair | Ted Anderson |
| Comcast Representative | Tom Harruff |
| Newsletter Production | John Mickelson |
| Website Maintenance | Gale Schwartz and John Mickelson |



IMPORTANT NUMBERS TO KEEP HANDY

Sheriff's Office Non-Emergency Number	239-252-9300
Domestic Animal Control	239-252-7387
Humane Society Animal Shelter	239-643-1555
Garbage/Waste Pick Up	239-252-2508
Solid Waste Management	239-252-2508
Code Enforcement	239-252-2440
Comcast	800-934-6489
Naples Daily News Circulation Dept.	239-263-4839
Vesta Property Services	239-947-4552
Florida Fish & Wildlife	866-392-4186

Florida Fish & Wildlife will normally not remove alligators from communities unless the animal shows aggressive tendencies. Anyone can report an aggressive alligator. You should report such animals to the State and not your HOA. The HOA has no special authority to remove an alligator.

GOVERNING DOCUMENTS POSTED ON OUR WEBSITE

We have consolidated all our governing documents into one PDF file that can be reviewed on our web site. This is an accurate and up to date copy of all our governing documents.

Click here → [**Imperial Golf Estates Governing Documents**](#)

ELECTRONIC PAYMENT OF DUES

Many people pay their dues with electronic withdrawals. This is a reminder that as dues change, you must also change the amount authorized for automatic withdrawal. Some people intended to pay their dues but did not update their withdrawal amounts authorized. This has created underpayments with funds still owed. Please update your banking authorization to allow for changes in dues. Below is a letter from our property manager VESTA on this topic.

Assessment Payment Options

Paying by Check

Please make your check payable to the association, not Vesta Property Services. Please write your account number in the "Memo" field on the check.

Please do not send your check to our office address - mail your check to the Association's bank lockbox processing facility:

Vesta Property Services
PO Box 622607
Orlando, FL 32862-2607

Please allow up to one week for receipt and processing of your payment.

Direct Debit; One-Time Online Payments

If you would like to pay your assessments via electronic direct debit (ACH, credit card, debit card or eCheck, please visit our secure website; www.vestaforyou.com. Please click on "Pay Dues" then, search for your association and finally, click "Pay Dues"). There you will set up an account and select your preferred method of payment.

Paying Via Online Banking through your Financial Institution

Your bank may not mail the payment on the day the amount is debited from your account, so please allow plenty of time for this when setting-up the payment date schedule.

Although the amount is debited from your account when the check is cut, this does not mean that it has reached the Association's bank account on that date so please allow sufficient time for your payment to reach the Association's bank lockbox.

Please note: We are not able to accept any post-dated checks, nor are we able to accept cash payments.

Thank you, VESTA Services.

VOTE ELECTRONICALLY

All residents can still vote by paper ballot via mail or in person. If you want the option to vote electronically, please click on the link below. The link will direct you to the electronic voting registration form. This form can be completed on your phone or computer and is a requirement to complete the registration.

You can still vote via paper ballot if you sign up for electronic voting. You are encouraged to sign up for electronic voting as it gives you an additional option to participate.

Click Here → **[Link To Electronic Voting](#)**

**HOA COMMITTEES
& DUTIES**

**ARCHITECTURAL REVIEW
BOARD**

Edward (Ted) Anderson

**MAINTENANCE AND
BEAUTIFICATION**

Gale Schwartz - Chair

**GREATER IMPERIAL BOARD
REPRESENTATIVE**

Gale Schwartz

VIOLATIONS

Tom Harruff – Chair

NEWSLETTER

John Mickelson

WEB MASTER LIAISON

Gale Schwartz & John Mickelson

HOA SUPERINTENDANT

Mark Thieme

HOA WEB PAGE

Web Master – Mike Shields

www.imperialgolfestates.org

VESTA PROPERTY

MANAGER

Kailin Francis

**IMPORTANT DATES FOR
ASSESSMENTS**

HOA First Quarter Fees - Due January First Of Every Year. 2022 Dues \$575.77 quarterly.

HOA Second Quarter Fees - Due April First Of Every Year. 2022 Dues \$575.77 quarterly.

HOA Third Quarter Fees - Due on July First Of Every Year. 2022 Dues \$575.77 quarterly.

HOA Fourth Quarter Fees - Due October First of Every Year. 2022 Dues \$575.77 quarterly.

**IMPERIAL GOLF ESTATES
HOME SALES**

As of August 31, 2022

3	Houses Active For sale
1	Pending With Contingency
1	Pending
21	Closed Sales 2022

\$1,073,595 Average selling price

Average price per square foot - \$422.73

Courtesy of Deb Frost.

