

Tucker and Director of Athletics Curtis Janz;
UAPB Chancellor Laurence Alexander, Vice
Chancellor for Finance and Administration
Carla Martin; Interim Provost and Vice
Chancellor for Academic Affairs Andrea
Stewart.

Members of the Press.

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Board of Truste

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David Hinton, Associate Director of Technology Ventures One-time Merit	\$190,866 \$3,250
Matt Hobbs, Assistant Baseball Coach	\$439,333*
Karla Horsfall, Nutritionist	\$143,000*
Chris Johnson, Assistant Track Coach	\$291,678*
Cody Kennedy, Assistant Football Coach	\$873,867*
Andrew Kreis, Assistant Trainer	\$82,043*
Todd Lee, Project/Program Manager	\$123,600*
Antornette Pauline Love, Assistant Basketball Coach	\$250,427*
Colin MacDonald, Project/Program Specialist	\$96,133*
Peter MacKeith, Dean, Fay Jones School of Architecture One-time Merit	\$295,951 \$5,747

Brad McMakin, Head Golf Coach	\$373,567*
Yolanda McRae, Assistant Softball Coach	\$151,344*
Mathew Meuchel, Assistant Softball Coach	\$208,295*
Jean-Francois Meullenet, Interim Dean & Sr. Assoc. VP One-time Merit	\$293,550 \$5,700
Tamesha Muse, Academic Counselor	\$127,546*
Eric Musselman, Head Basketball Coach	\$5,008,400*
Michael Musselman, Director of Men's Basketball Operations	\$177,667*
Cynthia Nance, Dean, School of Law One-time Merit	\$312,246
Mike Neighbors, Head Basketball Coach	\$1,155,000*
Bryan Nelson, Pilot One-time Merit	\$131,250* \$2,500
Brian Overton, Assistant to the Head Coach	\$120,000*
Lance Pedersen, Administrative Specialist III	\$69,295*
Samuel Pittman, Head Football Coach	\$6,600,000*
Ed Pohl, Dean of Graduate School & International Education One-time Merit Effective retroactive to 6/1/23	\$288,000
David Polanski, Head Trainer	\$196,962*
Christopher Ramey, HE Public Safety Commander I One-time Merit	\$98,156 \$1,306
David Richardson, Assistant Strength Coach	\$174,836*
Charles F. Robinson, Chancellor Car allowance Deferred compensation	\$477,920 \$12,000 \$250,000

Kyla Ross, Assistant Gymnastics Coach	\$115,867*
Simone Rush, Assistant Trainer	\$91,684*
Anthony Ruta, Project/Program Manager	\$23

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Morgan Turner, Assistant Football Coach	\$440,533*
Jay Udvardia, Head Men's Tennis Coach	\$248,400*
Dave Van Horn, Head Baseb	

Several things are important enough to mention, in addition to the above. I had been asked by the Board to schedule a meeting in 2022 to try to work out an agreement with Bobbitt about an extension of his contract of employment which is to end late this year. I was very surprised when he answered that he did not want to discuss an extension at that time. Board members were as surprised as I at his reply. Of course, what we did not know was that on March 17 of 2022 he had gotten our Board to approve a revision in the Related Entities Policy of the Board, which opened the main avenue for him to pursue the Phoenix deal on his own. This was done as part of a routine updating of Board policies, and there was absolutely no mention of Phoenix. We voted, as we almost always do when the president or general counsel make a presentation on matters that are in the normal course of business. By sheer deception, this was run through, and Bobbitt was off to the races. What it did was the most important thing done in the entire matter in that it gave a lot of powers of the Board to the President, and he used them liberally.

When we became aware of Phoenix and Bobbitt let us know that he did not need our vote on anything, we started scrambling to determine if that was true, and how it was done. Once we learned, it was clear that Bobbitt had breached his fiduciary duty as president to be open and honest with the U of A Board, and in many minds, it was the end of trust we had held with him. As a safeguard for the future, we need to move quickly to close the loophole he had prepared for himself, so he, or any other president, cannot duplicate this event.

This, very importantly, also awakened us to why he did not want to consider a contract extension with the U of A, and it became totally clear that Bobbitt had chosen Phoenix's best interests over those of the University of Arkansas, and the wishes of the U of A Board.

A final point for consideration is that there is no telling what Bobbitt's two-year-long venture to purchase Phoenix cost us, his salary, and the hidden costs of staff time on the project would be just a starting point to determine the true costs to the people of Arkansas.

We have a U of A Board meeting scheduled for June 26th to discuss a few matters, including a possible contract extension for Bobbitt. Now that his Phoenix dream is dead, he is interested in a contract extension. It is my hope that you will consider the

regarding the Phoenix deal on **March 9, 2021**. So, for some time prior to March 9, 2021, Bobbitt was working on the Phoenix deal.

As reflected by the second attachment to this email, the UA Board of Trustees has long had a policy regulating arrangements between UA and separate corporate entities because of conflict-of-interest concerns. This policy was adopted on October 2, **2001**, and reflects that historically the Board of Trustees had made the decision whether UA should affiliate and do business with a separate corporate entity and reflects a concern that no employee or official of UA be an officer or director of the separate corporate entity that is affiliating with UA.

As reflected by the third attachment to this email, on **March 17, 2022**, the related entities policy was revised as part of a routine updating of Board policies, and same now contains a specific provision that a “separate legal entity owned or controlled, in whole or in part, by the University . . . may **only** be created . . . **with the consent of the President, who may exercise the discretion to bring the matter to the Board of Trustees for approval.**” In effect, this revision of policy transferred approval of a UA affiliated entity from the Board of Trustees to Bobbitt. No one – not Bobbitt or anyone else – saw fit to tell the Board of Trustees that this revision had something to do with the Phoenix deal or was something other than a routine update of the policy. That is a breach of Bobbitt’s fiduciary duty to be open and honest with UA and the Board of Trustees.

As reflected by the fourth attachment to this email, on **August 8, 2022**, a nonprofit corporation known as Transformative Education Services, Inc. (commonly referred to as “TES”) was established with the Arkansas Secretary ns

Let me first address the issue regarding the edits to board policy 340.1 on related entities. That policy was updated as part of the general counsel's ongoing review of policies. Dr. Bobbitt played no part in the decision to update that particular policy, or, for that matter, most of the policies that were updated during my tenure. Generally, I would identify policies for the general counsel's policy committee to review and edit, and the review process often took several months to complete. If this policy was approved in March 2022, the review process likely started in the summer of 2021. While I do not have access to relevant records and I am relying on my memory, my recollection is that the update to this policy was prompted by various business activities involving UAMS and in preparation of the on-boarding of Grantham, which the board approved earlier that summer. However, I know with certainty that Dr. Bobbitt did not ask for changes to this policy and did not offer any input on the changes ultimately made. I also know with certainty that the University of Phoenix transaction was not the impetus for making changes to this policy. I am disheartened Trustee Nelson or anyone else would suggest that I or anyone in the general counsel office would be part of any plan to deceive the board or to do anything that would be harmful to the University.

WHEREAS, the mission, vision, and values of the MIAA and its member institutions are philosophically aligned with those of UAFS and the University of Arkansas System; and

WHEREAS, accepting this invitation would result in a reduction of travel time required for competition, improving the academic and athletic experience of UAFS student-athletes, and encouraging the development of natural geographic rivals;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF TRUSTEES OF THE UNIVERSITY OF ARKANSAS THAT the President and Chancellor of the University of Arkansas at Fort Smith shall be, and hereby are, authorized to execute such documents and instruments as may be required for UAFS to become a member of the Mid-America Intercollegiate Athletic Association (MIAA) provided that the President shall determine that any documents and instruments required for such membership are in the best interest of UAFS and have been reviewed by the General Counsel.

3. Project Approval of the Phase 1 Study of Bud Walton Arena Renovation and Selection of Design Professionals

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BE IT FURTHER RESOLVED THAT the President, Chief Financial Officer,
Chancellor and Vice Chancellor for Finance and Administration of