

## KERICHO COUNTY ASSEMBLY

### THE HANSARD

Third Assembly

Second Session

Wednesday 9<sup>th</sup> July, 2024 A

*(The House met at 10.00 a.m.)*

*[The Speaker (Hon. (Dr.) Patrick Mutai) in the Chair]*

### PRAYERS

**The Speaker (Hon. (Dr.) Patrick Mutai):** Good morning, Honourable Members, and welcome to our morning session of Tuesday, 9<sup>th</sup> July 2024, at 9.30 a.m. Clerk, Order of Business!

### NOTICES OF MOTION

REMOVAL OF DR. WESLEY K. BOR, PH.D., FROM OFFICE OF THE COUNTY SECRETARY

**The Speaker (Hon. (Dr.) Patrick Mutai):** Honourable Members, we have three Notices of Motion, and we start with the Motion by Honourable Paul Bii. That is, you give Notice of your Motion.

**Hon. Paul Bii (Member for Kapsaos Ward):** Thank you very much, Honourable Speaker. I want to give a Notice of Motion, on the removal of Dr. Wesley Bor, Ph.D., from Office of the County Secretary. Thank you!

**The Speaker (Hon. (Dr.) Patrick Mutai):** All right. Thank you.

*(The Speaker consulted with the Deputy Clerk)*

Yes, we have been guided properly. Proceed Hon. Paul Bii!

**Hon. Paul Bii (Member for Kapsaos Ward):** Thank you. Honourable Speaker, I would like to give a Notice of Motion on the removal of Dr. Wesley K. Bor, Ph.D., from Office of the County Secretary. Mr. Speaker, Sir, I beg to move the following Motion.

**The Speaker (Hon. (Dr.) Patrick Mutai):** Yes, order, Hon. Paul Bii., you can just take your seat.

*(The Speaker consulted with Hon. Paul Bii)*

The Honourable Paul Bii, you can proceed and give Notice of your Motion in accordance with the Standing Orders, which you can just read what is in the Order Paper. Proceed!

**Hon. Paul Bii (Member for Kapsaos Ward):** Thank you very much, Honourable Speaker. I stand to give a Notice of Motion on the removal of Dr. Wesley K. Bor, Ph.D., from Office of the County Secretary.

Whereas, Chapter Six of the Constitution...

**The Speaker (Hon. (Dr.) Patrick Mutai):** Order! There is a technical problem. I think the sounds are not so clear, so I am being told that you need to move to the other side. Please, the Honourable Paul Bii. Sorry for that technical hitch.

**Hon. Paul Bii (Member for Kapsaos Ward):** Thank you very much, Honourable Speaker. I would like to move a Notice of Motion on the removal of Dr. Wesley K. Bor, Ph.D., from Office of the County Secretary.

Whereas, Chapter Six of the Constitution, as read together with the Leadership and Integrity Act 2012, Cap 185 (c), and the Public Officers Ethics Act, Cap 185 (b), Laws of Kenya, provides for, among other matters, the conduct of state and public officers. And the accountability in the exercise of power, and responsibility assigned to state and public officers.

Whereas, Article 10 of the constitution, and the Leadership and Integrity Act 2012, provide for the respect for the rule of law, good governance, accountability and transparency of State Officers for decisions and actions, as key guiding principles of leadership.

Whereas, Section 44 (3) of the County Government Act, establishes the Office of the County Secretary, and bestows the office with the role of being the secretary of the County Executive, committee.

Whereas, Article 260, define State Officers, to include Members of the Executive Committee of County Governments, where the County Secretary serves as a secretary. Cognizant, that the Leadership and Integrity Act in Section 7 and 9, provides that a state officer shall respect and abide by the constitution, and the law, and shall take personal responsibility for the reasonably foreseeable consequences of any actions, or omissions arising from the discharge of the duties of the office.

Appreciating that Article 185 (3), as read together with Section 8 of the County Government Act, the County Assembly is mandated to undertake oversight of the County Executive in the performance of the functions, as provided for in the Constitution and other enabling laws.

Cognizant, that Section 44 (3) (a) of the County Government Act provides for the grounds upon which County Secretary may be removed from office, among them, Gross Misconduct, violation of the constitution, and incompetence.

Now, therefore, this House resolves to remove Dr. Wesley K. Bor from the Office of the County Secretary of Kericho, on the following grounds:

Mr. Speaker and Honourable Members, One, Gross violation of the Constitution, County Government's Act, Leadership and Integrity Act, County Assemblies Powers and Privileges Act, serious reasons for believing that the County Secretary has committed crimes under the Penal Code Cap. 63.

That, Dr. Wesley K. Bor, the County Secretary of Kericho County, is currently under investigation by the Director of Public Prosecutions, and the Director of Criminal Investigation, and is likely to face arrest, charge, prosecution, and institution of criminal proceedings, in relation to giving fabricated and false information to the Ad-hoc Committee on the Londiani incident.

This discloses grounds that are serious reasons for believing that the County Secretary has committed crime, under the National Laws, including, but not limited to, offenses relating to, Honourable Speaker, One, false swearing, contrary to Section 114 of the Penal Code by presenting forged minutes, declaring it as a truthful document.

Number Two Honourable Speaker and Honourable Members, fabricating evidence, contrary to Section 113 (a) and (b) of the Penal Code by abusing and fabricating evidence purporting to have been signed by County Executive Committee Members (CECM), Rosemary Rop, Judith Chirchir, Edna Tonui and Daniel Rop. The said evidence was submitted to the County Assembly's Ad-hoc Committee on Londiani incident.

Number Three Honourable Speaker and Honourable Members, giving false information to the Londiani Incident County Assembly's Ad-hoc Committee, contrary to Section 19, as read together with Section 10 of the Public Officers' Ethics Act.

Serious violation of Section 69 and 72 (1) of the County Governments Act and County Human Resource Management Guidelines and Policies. That on 4th January 2023, Dr. Wesley K. Bor un-procedurally redeployed or redesigned one Jacqueline Leitich, previously Acting Director of Human Resource Management to serve as the Soin/Sigowet Sub-County

Administrator without following due process as highlighted in the Human Resource Management Policy and the County Governments Act 2012.

That on 19th February 2024, without due diligence, he acted *ultravires* by usurping powers of the County Chief Officer of Health Department by writing redeployment letters of Medical Officers within the Department of Health, a function meant for County Chief Officer, as outlined under Section 72 of the County Governments Act.

That on 18th July 2023, one Helen Telle was redeployed and re-designated from being Assistant Director, Education, to handling administrative duties at the Office of Governor by the County Secretary without... that is, Office of the Deputy Governor, by the County Secretary, without complying with the provisions of Section 69 of the County Governments Act and the Human Resource Guidelines. So, honourable Members, it's not to Office of the Governor, but Deputy Governor.

Number two, incompetence. Violation of Section 11 (a), (b), (c) and (d) of the Leadership and Integrity Act 2012, that states: Section 44 (3) (a) of the County Governments Act provides that the County Secretary is the Head of County Public Service. Despite this, the County Secretary has failed to coordinate and streamline the provision of essential services to the public. Specifically, he failed to carry out the duties of the office in a manner that maintains public confidence in the integrity of office. In that honourable Speaker, having in mind there was an advert that we were supposed to employ some people in the County, but the same person didn't advise the Chief Executive Officer (CEO) accordingly. His incompetence has led to a disjointed and inefficient public service across all departments, thus denying citizens their rights. Thank you, Honourable Speaker and allow me...

**The Speaker (Hon. (Dr.) Patrick Mutai):** Thank you! That is still Notice of Motion. Next is the Chairman, Water and Sanitation. This was a Joint Committee. Give Notice of your Motion. The Hon. Richard Langat! Yes, proceed!

**Hon. Richard Langat (Member for Kedowa/Kimugul Ward):** I beg to move a Notice of Motion. I beg to move a Motion.

**The Speaker (Hon. (Dr.) Patrick Mutai):** Order. the Honourable Richard Langat. Give a Notice of Motion. Yes, proceed.

**Hon. Richard Langat (Member for Kedowa/Kimugul Ward):** Thank you, Mr. Speaker, Sir, I beg to issue a Notice of Motion, THAT, this House Approves the Report of the Joint Committee of Water and Sanitation and Environment, Energy, Forestry and Natural Resources on Vetting of Richard Kiplangat Mitei for the position of Chief Officer in charge of Water, Environment, Energy and Forestry and Natural Resources.

**The Speaker (Hon. (Dr.) Patrick Mutai):** Alright, thank you! The Chairman Finance and Economic Planning Committee, the Hon. Kibet Bosuben, give Notice of your Motion!

**Hon. Kibet Bosuben (Member for Cheplanget Ward):** Okay, thank you, Mr. Speaker, Sir. I beg to give a Notice of Motion, THAT, this House Approves the Report of the Finance and Economic Planning Committee on the Vetting of Mr. George Kirer Kipngeno for the Position of Chief Officer in charge of Finance. Thank you Mr. Speaker!

**The Speaker (Hon. (Dr.) Patrick Mutai):** All right, thank you, the honourable Chairman. Clerk, Next Order!

### MOTION

REMOVAL OF DR. WESLEY K. BOR, PH.D., FROM OFFICE OF THE COUNTY SECRETARY

**The Speaker (Hon. (Dr.) Patrick Mutai):** The Honourable Paul Bii, now you can table your Motion before the House.

**Hon. Paul Bii (Member for Kapsaos Ward):** Thank you, Honourable Speaker. Honourable Speaker, Honourable Members, allow me to move a Motion on the Removal of Dr. Wesley K. Bor, Ph.D. from Office of the County Secretary.

Mr. Speaker, Sir, I beg to move the following Motion.

Whereas, Chapter Six of the Constitution, as read together with the Leadership and Integrity Act 2012, Cap 185 (c), and the Public Officers Ethics Act, Cap 185 (b), Laws of Kenya, provides for, among other matters, the conduct of state and public officers. And the accountability in the exercise of power, and responsibility assigned to state and public officers.

Whereas, Article 10 of the constitution, and the Leadership and Integrity Act 2012, provide for the respect for the rule of law, good governance, accountability and transparency of State Officers for decisions and actions, as key guiding principles of leadership.

Whereas, Section 44 (3) of the County Government Act, establishes the Office of the County Secretary, and bestows the office with the role of being the secretary of the County Executive, committee.

Whereas, Article 260, define State Officers, to include Members of the Executive Committee of County Governments, where the County Secretary serves as a secretary. Cognizant, that the Leadership and Integrity Act in Section 7 and 9, provides that a state officer shall respect and abide by the constitution, and the law, and shall take personal responsibility for the

reasonably foreseeable consequences of any actions, or omissions arising from the discharge of the duties of the office.

Appreciating that Article 185 (3), as read together with Section 8 of the County Government Act, the County Assembly is mandated to undertake oversight of the County Executive in the performance of the functions, as provided for in the Constitution and other enabling laws.

Cognizant, that Section 44 (3) (a) of the County Government Act provides for the grounds upon which County Secretary may be removed from office, among them, Gross Misconduct, violation of the constitution, and incompetence.

Now, therefore, this House resolves...

*(Loud consultations)*

**The Speaker (Hon. (Dr.) Patrick Mutai):** Order! Order the Hon. Anthony Ruto. Order Hon. Members. Let us consult in low tones please. Proceed!

**Hon. Paul Bii (Member for Kapsaos Ward):** Thank you very much Mr. Speaker, Sir, for protecting me. Cognizant, that Section 44 (3) (a) of the County Government Act provides for the grounds upon which County Secretary may be removed from office, among them, Gross Misconduct, violation of the constitution, and incompetence.

Now, therefore, this House resolves to remove Dr. Wesley K. Bor from the Office of the County Secretary of Kericho, on the following grounds:

Mr. Speaker and Honourable Members, One, Gross violation of the Constitution, County Government's Act, Leadership and Integrity Act, County Assemblies Powers and Privileges Act, serious reasons for believing that the County Secretary has committed crimes under the Penal Code Cap. 65.

That, Dr. Wesley K. Bor, the County Secretary of Kericho County, is currently under investigation by the Director of Public Prosecutions, and the Director of Criminal Investigation, and is likely to face arrest, charge, prosecution, and institution of criminal proceedings, in relation to giving fabricated and false information to the Ad-hoc Committee on the Londiani incident.

This discloses grounds that are serious reasons for believing that the County Secretary has committed crime, under the National Laws, including, but not limited to, offenses relating to, Honourable Speaker, One, false swearing, contrary to Section 114 of the Penal Code by presenting forged minutes, declaring it as a truthful document.



Number Two Honourable Speaker and Honourable Members, fabricating evidence, contrary to Section 113 (a) and (b) of the Penal Code by adducing and fabricating evidence purporting to have been signed by County Executive Committee Members (CECM), Rosemary Rop, Judith Chirchir, Edna Tonui and Daniel Rop. The said evidence was submitted to the County Assembly's Ad-hoc Committee on Londiani Incident.

Number Three Honourable Speaker and Honourable Members, giving false information to the Londiani Incident County Assembly's Ad-hoc Committee, contrary to Section 19, as read together with Section 10 of the Public Officers' Ethics Act.

Serious violation of Section 69 and 72 (1) of the County Governments Act and County Human Resource Management Guidelines and Policies. That on 4th January 2023, Dr. Wesley K. Bor unprocedurally redeployed or redesigned one Jacqueline Leitich, previously Acting Director of Human Resource Management to serve as the Soin/Sigowet Sub-County Administrator without following due process as highlighted in the Human Resource Management Policy and the County Governments Act 2012.

That on 19th February 2024, without due diligence, he acted *ultra vires* by usurping powers of the County Chief Officer of Health Department by writing redeployment letters of Medical Officers within the Department of Health, a function meant for County Chief Officer, as outlined under Section 72 of the County Governments Act.

That on 18th July 2023, one Helen Telle was redeployed and re-designated from being Assistant Director, Education, to handling administrative duties at the Office of Governor by the County Secretary without... that is, Office of the Deputy Governor, by the County Secretary, without complying with the provisions of Section 69 of the County Governments Act and the Human Resource Guidelines. So, honourable Members, it's not to Office of the Governor, but Deputy Governor.

Number two, incompetence. Violation of Section 11 (a), (b), (c) and (d) of the Leadership and Integrity Act 2012, that states: Section 44 (3) (a) of the County Governments Act provides that the County Secretary is the Head of County Public Service. Despite this, the County Secretary has failed to coordinate and streamline the provision of essential services to the public. Specifically, he failed to carry out the duties of the office in a manner that maintains public confidence in the integrity of office. In that honourable Speaker, having in mind there was an advert that we were supposed to employ some people in the County, but the same person didn't advise the Chief Executive Officer (CEO) accordingly. His incompetence has led to a disjointed and inefficient public service across all departments, thus denying citizens their rights.

Honourable Speaker, allow me to thank the members who went out of their way to sit and discuss the conduct of the said person. It took them courage. Honourable Speaker, they went

with the image that they wanted to save this County. The said Man, all along with the wrangles, has been coming out of this county. It seems that he has not been in a position to advise the CEO of this great county. Honourable Speaker, when we flashback right from Londiani issue, our people suffered. They didn't get their rightful shares on what was raised.

Honourable Speaker, having looked at the way he mishandled the staff, the staff of this great county work with a lot of fear, work with a lot of stress because of the said man mishandling them. Allow me also to thank the members, the 28 members who signed for the removal of this man. It's not in bad faith, but we are trying to save the image before anything erupts. Recently we saw how *Gen-Z* moved and shook the entire country. We also want to save our county, not to be in that position.

Thank you, Honourable Speaker. Allow me to ask my good friend, a man I've seen for a very long time that fits to lead even Sigowet/Soin (SISO) Sub-county, a man that chairs the Budget Committee.

*(Laughter and loud consultations)*

**The Speaker (Hon. (Dr.) Patrick Mutai):** Order Hon. Members! Order!

**Hon. Paul Bii (Member for Kapsaos Ward):** If you can allow me, Honourable Speaker, to read the names of those people who wanted to save this county, I can do so. Otherwise, thank you and let me ask my good friend, Honourable Albert to second the Motion. Thank you.

*(Loud consultations)*

**The Speaker (Hon. (Dr.) Patrick Mutai):** Order, Honourable Members! Order! Order! Order, please! Proceed, Honourable Albert, Chairman Budget, to second the Motion!

**Hon. Albert Kipkoech (Member for Soliat Ward):** Thank you, Mr. Speaker, for this opportunity to second this Motion on the removal of Dr. Wesley Bor. Mr. Speaker, the reason as to why we are here...

*(Loud consultations)*

**The Speaker (Hon. (Dr.) Patrick Mutai):** Order Hon. Members! Order! Order, please! Proceed the Hon. Albert Kipkoech!

**Hon. Albert Kipkoech (Member for Soliat Ward):** Thank you Mr. Speaker, the reason as to why we are here today to remove Dr. Wesley Bor is to reconstruct the legacy of H.E Dr.



Mutai because since he came in in 2022, we have been having a lot of challenges, a lot of issues and all these issues were brought about by Dr. Wesley Bor.

Mr. Speaker, I will start with when he came in before January 2022. He started by making sure that all the staff were re-arranged which was against the law and if you can allow me, Mr. Speaker, to take you to the second page of this Motion, whereby Dr. Wesley Bor un-procedurally deployed several staff, including Jacqueline Leitich. There is also Fernandez who was also taken to the Department of Health. There was also Moses who was also taken to the Department of Health. There was also Hellen Telle; vibrant and very energetic staff who were able to drive Kericho for the last 10 years but unfortunately they were taken to places whereby they were not able to make sure that they have done their job.

Mr. Speaker, another issue that this person by the name of Dr. Wesley Bor did, is that in April 2024, there were issues of Londiani, Mr. Speaker. And from the Motion and it is self – explanatory. I can take you to where Dr. Wesley Bor appeared and swore that all the evidence that was adduced in that committee was true. But in the due course, Mr. Speaker, we noticed that the minutes that was brought to that committee, all of them were forged. That was one of the issues that we saw that Dr. Bor is making sure that he is sabotaging His Excellency, the Governor.

Mr. Speaker, the second one, whereby Dr. Bor fabricated evidence contrary to Section 113, and he fabricated evidence purporting it to have been signed by Rosemary Rop, Judith Chirchir, and Ednah Tonui, Mr. Speaker, we have affidavits to that effect, whereby the CECs confirmed that they did not attend those meetings.

Mr. Speaker, there is also the issue of incompetence and that was appears as the second ground, Mr. Speaker and as it provides governance, accountability, and transparency, everything that this guy has done by seeing himself as if he is a small god to Kericho County has led to the County going down. So, Mr. Speaker, this Motion is self -explanatory and I second it fully without even shaking anything that I have. Thank you.

*(Laughter and loud consultations)*

**The Speaker (Hon. (Dr.) Patrick Mutai):** Order, Honourable Members. Before I propose the question, just as a matter of confirmation, is that, of course, the honourable member has tabled the Motion, that is, the honourable Paul Bii has supported his Motion by a list of honourable Members that have appended their signatures, which is more than a third of the County Assembly Honourable Members and to be specific, we have 28 honourable members who have appended their signature and the records are available at the Clerk's Office. Honourable Members, I now propose the question.

*(Question proposed)*

The floor is open for debate. Yes, the honourable Kiprotich Rogony!

**Hon. Kiprotich Rogony (Member for Sigowet Ward):** Thank you, Mr. Speaker. Mr. Speaker, I also rise to support the Motion that has been tabled by the honourable Paul Bii that seeks to remove the County Secretary, Dr. Wesley K. Bor, Ph.D.

Mr. Speaker, even as I give my views to the Motion, Mr. Speaker, I want to invite members to the Constitution of the Republic of Kenya. Mr. Speaker, Article One, the sovereignty of the people, the Constitution, and let me read: *"All sovereign power belongs to the people of Kenya and shall be exercised only in accordance with this Constitution."* Mr. Speaker, if you read through even Article Two, the supremacy of the Constitution, Mr. Speaker, Article 2 (2) of the Constitution says, *"No person may claim or exercise state authority except as authorized by this Constitution."* And, Mr. Speaker, if you check Article Three of the Constitution, the defence of this Constitution, of course in Article One, Mr. Speaker, it states that, *"This Constitution shall be exercised either directly or indirectly."* And when we talk about indirectly, it is the democratically elected members. And, Mr. Speaker, with this regard, this House has all the authority to exercise the powers conferred by the Constitution of this country.

Mr. Speaker, this Motion is properly before the House, as guided by County Governments Act, Section 40 (2), where we had signature collected. I signed myself, Mr. Speaker, and we have the Motion before us. Therefore, Mr. Speaker, it is unfortunate that the County Secretary has continued to even mutilate the existing laws by moving staff here and there. I want to give to this House one case in point, Mr. Speaker. Recently, we had an Ad-hoc Committee on *Kazi Mtaani* and Mr. Speaker, the member who moved this Motion was the Chair, and I served as the Vice –Chair and one of the instances is when a staff member appeared before us and, you know, before the HANSARD, with all the authority, she talked about the County Secretary inviting her to the office and, in fact, intimidating her that if she didn't sign the documents, which were not properly done, the County Secretary was going to move her out of the department. Mr. Speaker, as highlighted in this Motion, the County Secretary moved staff here and there in total disregard of the law.

Mr. Speaker, there is what we call "HRMAC" which sits not every single day, but they sit within specified time. Reports that we have from the affected staff, is that this County Secretary has continued to write to them without following due process. It is wrong, it is illegal and it is in total violation of the law.

Mr. Speaker, lastly, this individual, since he came in, as said by the Honourable Member who has just seconded the Motion, the County Government of Kericho has been in total hell. I can give you two instances. Mr. Speaker number one, there was a time in health and if you read Section 72 (1) of the County Governments Act, the movement of staff within a department is

vested in the respective County Chief Officers. But, you know, this individual, Mr. Speaker, wrote a letter moving staff in health. One, we had the Medical Superintendent (Med-Sup) of the County Referral Hospital moved to another place, we had the County Director of Health removed and another one replaced him. When the Committee in Health contacted the relevant Chief Officers, none of them was aware about the movements. It was solely done by the County Secretary, and that is in violation of the law.

Mr. Speaker, I support this Motion, and I urge this House, that even when the time comes, let us vote to remove this individual so that we have progress in this County. Mr. Speaker, Article 10 of the Constitution, as I wind up, and I want to invite members to... let us acquaint ourselves, the National Values and the Principles of Governance, Mr. Speaker, at 10 (2), the National Values and the Principles of Governance include; (a) Patriotism, National Unity, Sharing and Devolution of Power, Rule of law, Democracy, and Participation of the People, (b) Dignity, Equity, Social Justice, Inclusiveness, Equality, Human Rights, Non-discrimination, Protection of the Marginalized; (c) Governance, Integrity, Transparency, and Accountability and (d) Sustainable Development.

Mr. Speaker, if this individual continues to work for this County Government, we might not realize sustainable development. Number two, Mr. Speaker, we have dignity. There is a case in point, which we have a letter already, Mr. Speaker. A staff who's been doing his duties very well, and because the County Secretary did not like him, he wrote a letter deploying him from being a senior member of the County Government, to a very low job, that is, being a mere Ward Administrator. It is wrong. This individual deserves to be removed. I support the Motion!

**The Speaker (Hon. (Dr.) Patrick Mutai):** Thank you, the Hon. Rogony. The Hon. Cheruiyot Bett!

**Hon. Cheruiyot Bett (Member for Ainamoi Ward):** Thank you very much, Mr. Speaker, for giving me this opportunity, and of course, Mr. Speaker, I stand here on behalf of the people of Ainamoi to, first of all, commend the mover of this Motion. Mr. Speaker, this Motion was even supposed to have been moved before yesterday because if there is someone who has caused a lot of havoc in this County, Mr. Speaker, then it is this Dr. Bor, Mr. Speaker. Mr. Speaker, for those of us who voted for this regime, personally, I am on record, supporting His Excellency, the Governor, Mr. Speaker, when he was vying for the County seat, Mr. Speaker.

Mr. Speaker, we put our political careers on line during the 2022 election, Mr. Speaker, because we wanted a Governor that is going to assist our people and I want to assure you, Mr. Speaker, that we made the right choice. For those of us who support Dr. Mutai Mr. Speaker, we need to get rid of this individual. If there is someone who is going to fail the Governor then it is this Dr. Bor Mr. Speaker.

This County Secretary, Mr. Speaker, all the scandals that have been witnessed in this great county is because of one individual, Mr. Speaker. The Motion is self-explanatory, Mr. Speaker. When we begin from the Londiani fiasco, Mr. Speaker, where money meant for the dead were misappropriated, he was at the centre of it, Mr. Speaker. You've heard from the Motion that he falsely provided evidence on oath concerning some CECs, who later on came and swore affidavits that they were not the ones who appended their signatures there, Mr. Speaker. That is a classic example.

Number two, Mr. Speaker, you remember the issue of the *Kazi Mtaani*. It is only that these members do not want to say that, Mr. Speaker. He was at the centre of this thing of the *Kazi Mtaani*, Mr. Speaker. Mr. Speaker, the latest one is re-designating officers and usurping powers that he does not have. The County Secretary only has powers to redeploy an officer from one department to another, but not within the department, Mr. Speaker. That is the work of the CO and the evidence is here, Mr. Speaker.

The mover of the Motion, Mr. Speaker, has me that this person is very incompetent. In fact, Mr. Speaker, sometimes I wonder how that Dr. Bor passed through the vetting committee where I sit at the County Assembly Mr. Speaker. I think we need to reconsider even the vetting process of this person. Mr. Speaker, I tried going through the CV of Dr. Bor. He's a Nutritionist, Mr. Speaker. He is not supposed to be an administrator. Being a Nutritionist, Mr. Speaker, I think the best place for him to work is within our hospital facilities rather than misadvising the County Executive.

Mr. Speaker, I am one of the people who believe in nurturing leadership, Mr. Speaker. If given an opportunity, Mr. Speaker, I will tell the people to elect these MCAs more than two terms. Also, if given an opportunity, Mr. Speaker, I will inform the people of Kericho that if the Governor gets rid of such individual he needs to be given another term without a blink of an eye. So for those of us, Mr. Speaker, who support Dr. Mutai, these are the individuals Dr. Mutai should get rid of, Mr. Speaker, in the office because he's always giving wrong advice. You know, he's running the show; he's running the County as if... even when you are doing deployment in your home, Mr. Speaker, as you sit in the evening with your family, at least you need to consult your wife and even your children, Mr. Speaker, before you make some of the decisions. This guy wakes up, Mr. Speaker, and, you know, he runs the county like no man's business.

So I want to urge the County Assembly Members, for those of us who voted for this regime, unless you are not a friend of the Governor, but if you are a true friend of the Governor then you should be voting for this Motion. I see the mover of the Motion, Mr. Speaker, you know, I have the advantage because I have been here for quite some time, Mr. Speaker and that is why my seat was designated as Senior Member, Mr. Speaker. Only two seats here have been designated as such. The mover of this Motion, Mr. Speaker, is an ardent supporter of Dr.

Mutai-that is the Hon *Kiptegan*. No one will doubt that he supports Dr. Mutai, Mr. Speaker but because of such individual, Mr. Speaker, we should get rid of this individual and I want to applaud the member because when the king is naked, Mr. Speaker, you need to inform him that he is naked, Mr. Speaker. And someone said, the best way to support a regime is to inform the regime when it goes wrong. Mr. Speaker, we are informing the Governor that this guy here is doing him a lot of disservice, Mr. Speaker and if the Governor does not take action against this individual, Mr. Speaker, then things are going to be thick in our County.

Mr. Speaker, in 2014, you were the CEC, I think, in charge of Finance. We moved an impeachment Motion against the Governor but he was saved by the Senate. But from there, Mr. Speaker, Governor then had to streamline his administration and that is why he got a second term, 92 percent, Mr. Speaker, if you can remember because you were part of the team.

Number two, Mr. Speaker, in 2016, there was a CEC for Water that this County Assembly impeached and that assisted the Governor to get another CEC for Water, who provided water for the residents of this County. And that is why Professor Chepkwony, the first governor of this county got a second term very easily, Mr. Speaker. I want to beseech these honourable members here, and of course, the Governor that when he receives this report, Mr. Speaker, I want to advise him that it is always good, you look for someone who is going to assist you to tailor-make and give you a legacy that is going to last in our County. Otherwise if these are the kind of people that this County is going to have, I can tell you, and we cannot always be sitting here and I want to thank the Gen-Z, in fact I also invite them and I think that they have done a good job. They were fighting against the Finance Bill and now the President has heeded to their demands and threw the Bill to the dogs and I want to thank the President because he hears the cries of the electorates and I think that we need to promote some of these Gen-Zs in our County so that if such legislations are passed here or even to assist us in implementing some of these resolutions. Mr. Speaker, I want to tell you for free, these people, the Gen-Zs, are going to streamline both the National Government and the County Government; that I want to assist you. Even the homes of the MCAs, we want them to visit some of them here if they do not want to do what the people require...

*(Laughter)*

Otherwise, I want to appeal to the honourable members that let this Mr. Bor step aside. He has an active case, Mr. Speaker, under the Directorate of Criminal Investigations (DCI) and our competent courts. How can you allow someone who is already in court battling for a case? In fact, if I were him, Mr. Speaker, I would have resigned to battle with cases in our courts, Mr. Speaker rather than soiling an otherwise good administration led by our Governor. So, on behalf of the people of Ainamoi, Mr. Speaker, I do not have any other issue because this is an opportunity to sanitize this county by getting rid of this Nutritionist in our county and send him back to where he belongs. Thank you, Mr. Speaker and I want also to



appeal, Mr. Speaker, as I wind up, I appeal to... I understand he is a Pastor in some church. I also want to appeal to the leadership of those churches, Mr. Speaker, that you cannot have a Pastor who steals right, left, and centre. I think the church should also rise up to the occasion and relieve this person of his duties. Thank you, Mr. Speaker and I support this report with all my body organs. Thank you very much!

*(Laughter)*

**The Speaker (Hon. (Dr.) Patrick Mutai):** Order! Order the Honourable Cheruiyot Bett! The Honourable Vincent Korir, and then I'll give to the Honourable Matthew and then the Honourable Philip Mutai, in that order, please.

**Hon. Vincent Korir (Member for Londiani Ward):** Thank you very much, Mr. Speaker, for giving me this opportunity to support this Motion and Mr. Speaker, Sir, I think this House...

*(Some Hon. Members consulted loudly)*

**The Speaker (Hon. (Dr.) Patrick Mutai):** Order, Honourable Members! Let us consult in low tones. Order! Order the Honourable Monica and the Honourable Irene, Order! Proceed!

**Hon. Vincent Korir (Member for Londiani Ward):** Thank you very much, Mr. Speaker. Now, Mr. Speaker, I would like to say and confirm that where we are heading as this House, Kericho County Assembly, is after two years, heading to 24 months, we are now maturing enough and being objective in what we are doing. And, Mr. Speaker, I think we no longer play the politics of sycophancy and division. We are doing our role now as the County Assembly. And this one will help the Executive to be able to perform their duties well. Mr. Speaker, with the issue of County Secretary, transferring staff and giving himself mandate that is not given by the Constitution and by the laws, actually, transferring staff here and there will impact on their mental issues and motivation, meaning they will not be able to deliver within their mandates that they are given. And, Mr. Speaker, Sir, this is a role that maybe the County Secretary awarded himself and to me, what I think is that that is abuse of office. This is because if you are awarding yourself the roles and mandates that is not guided by the law and principles that are there, then it means you are abusing office and anybody who is abusing office is acting against the Integrity Act.

Mr. Speaker, Sir, when we talk about Londiani issue, I get emotional because I think that was the issue that was supposed to be dealt legally and the County Secretary should have been sent home way before. Forgery of minutes in itself is a criminal act and he is supposed to be in jail. Mr. Speaker, Sir, I think as a House, we need to send this guy home and the Governor should act as recommended. Last time when we did the Report of the Ad-hoc Committee, we actually recommended the removal of the County Secretary. I don't know what happened. I



think this time round, as said by Hon. Cheruiyot Bett; the role of Gen-Z will now apply. We will invite the Gen. Z to come to the County Offices and force this guy to be removed because it is long overdue.

Mr. Speaker, Sir, the issue of incompetence. In fact, he has shown that he is incompetent and he is not supposed to be in the office because he has been misleading the Governor on so many issues. He is supposed to be acting as the Secretary to the Cabinet, not acting as if he is a CEC who is in charge of all the other CECs. Secretary of the Cabinet means he is supposed to be taking minutes and, again, advice the Governor on what has been decided at the Cabinet and not making decisions. So, Mr. Speaker, Sir, the County Secretary, Dr. Wesley Bor, should be home as early as yesterday. Thank you very much, Mr. Speaker. I support.

**The Speaker (Hon. (Dr.) Patrick Mutai):** Thank you. All right! The Honourable Matthew Korir! And then I'll give it to the Honourable Phillip Mutai. And then Honourable Moses Rotich and then I will now call upon the mover to reply.

**Hon. Mathew Korir (Member for Chaik Ward):** Thank you, Mr. Speaker, for giving me this opportunity so to as well contribute to this Motion though I'm on that crossroad, you know, Wesley Bor happens to be my relative but in leadership there is no relative when you are a thief. I am happy today because the mover of the Motion, Mr. Speaker, if my memory serves me well, during the impeachment that was brought by the seconder of this Motion, Mr. Speaker, in 2014, on the impeachment of Professor Paul Chepkwony, one person who suffered a lot is the mover of this Motion because he was removed from office because he was misadvising the king by then, Mr. Speaker. Today, I want to thank Honourable Paul Bii for not bringing the Motion to impeach the Governor but you have just started impeaching the advisors who are in his office, Mr. Speaker. Mr. Speaker, if this Motion will help us to ensure that we have service delivery to our people by sending home one Wesley Bor I think since the inception of this regime, Mr. Speaker, we have been seeing a member of staff being demoted in a room. We have been seeing a member of staff being promoted or being sent to a department that is not related to his training but if one Wesley Bor will go home and save the image of this county, Mr. Speaker, I think I'm among those who had signed in support and I don't want anybody to ask me questions because I have no apology for that.

Mr. Speaker, this is a County where we have structures in place. This is a government and not somebody's kiosk where you need to ask "I want to buy something in your kiosk", Mr. Speaker. This government needs to serve the people of this county and if one Wesley Bor is the problem, Mr. Speaker, it is better that we remove the problem for us to continue having the service of the people of this county. And I want to ask my colleagues. It is very unfortunate that we are discussing this Londiani issue in a record of almost eight months or nine months ago, Mr. Speaker. The moment that we were tabling a Motion on the report of the Ad-hoc Committee, the mover of this Motion again was missing in action. But I am

happy because Honourable Bii, you have come to your senses and known that this person needs to go home.

Mr. Speaker, if we want to save this county, if we want to save this county, if we want to save this county, Mr. Speaker, and Honourable Members who are here today, you will not be remembered by *simping* and clapping and dancing to those people who want to bring this county down. You will be remembered by sending them home for fresh people to come in and do work that we are elected to do. Mr. Speaker, I have three roles as an Honourable Member, that is, one, representation. I need to represent my people whether I am right or wrong, I need to stand with them. Mr. Speaker, it is in public domain that those who are misguiding and misadvising this county, Mr. Speaker, one is the one we have in the Motion here; others, to follow. In fact, Mr. Speaker, when we were discussing Londiani Saga, a number of people could say the public opinion was already given but Mr. Speaker, since we wanted to show that the king that we love him, today we are showing the true love to the king by sending one Wesley Bor home.

Mr. Speaker, when we discussed *Kazi Mtaani*, I remember I was the one who brought the statement but Mr. Speaker, since Honourable Members here decided also that we need to see because after all, these are our own. But I am happy because the *Mtu wetu* Syndrome here has gone out from our heads. Mr. Speaker, I am here supporting this Motion on behalf of people of Chaik Ward and on behalf of people of Kericho County despite the fact that he is my uncle, but I want to ask him also uncles also need to have a style of doing things. Thank you, Mr. Speaker.

**The Speaker (Hon. (Dr.) Patrick Mutai):** Thank you, the Honourable Matthew. The Honourable Philip Mutai!

**Hon. Philip Mutai :( Member for Kipchimchim Ward):** Thank you Mr. Speaker for this opportunity and by extension, the great people of Kipchimchim. Mr. Speaker, Sir, I want to contribute on the Motion for the removal of Honourable Dr. Wesley Bor from the position of County Secretary. Mr. Speaker, I just want to take these members back to the Londiani incident, where if elections at that time were to be held, the Governor and the entire County Assembly of Kericho could have gone home. So Mr. Speaker, Sir, this is an individual who has been living on borrowed time.

This Motion could have been executed long time ago. So to secure the legacy of our Governor, whom we love very much, and of course, he is one of the hardworking Governors we have in the entire Republic. So to secure his legacy, Dr. Wesley Bor must go!

*(Laughter)*

Secondly, Mr. Speaker, Sir, is the redeployment of our county staff who are of high integrity and offer services in a professional manner who now live in fear while executing their duties.

I want to quote where the mover of this Motion quoted somebody by the name Hellen Tele who was redeployed and redesigned to be Assistant Director of Education to handle administrative duties at the office of the Governor by the County Secretary without complying with the provision of Section 69 of the County Governments Act and the Human Resource Guidelines. Look at how this person suffered mentally, being demoralized for being demoted to do small administrative works at the office of the Deputy Governor yet she was the Assistant Director of Education. So, Mr. Speaker, Sir, to improve on the morale and motivate our workers at the County Government, Dr. Wesley Bor must go! So, Mr. Speaker, Sir, I support his motion in totality. Thank you, Mr. Speaker.

**The Speaker (Hon. (Dr.) Patrick Mutai):** The Honourable Moses, and then I'll give to the Honourable Hezron, and then if you allow that, Honourable Members, because it's still a process, Honourable Members, we still have some time to contribute after the formation of the Select Committee. Proceed, the Honourable. Moses.

**Hon. Moses Rotich: (Member for Tendeno/Sorget Ward):** Thank you so much, Mr. Speaker, for giving me this opportunity to contribute and to support this Motion, Mr. Speaker, on the removal of Dr. Wesley Bor, who happens to be the County Secretary. Mr. Speaker, for the record, I was the chair of the Ad-hoc Committee who had investigated and determined and wrote a report that was tabled in this House on the findings, Mr. Speaker, of the then incident of Londiani, Mr. Speaker. It was in the wisdom of the committee and the County Assembly by then, Mr. Speaker, that the recommendations and the report were tabled. Eight months or even close to a year now, we are faced with the same enormous issue that is before us, Mr. Speaker, today the 9th of July of 2024, Mr. Speaker.

For us and for this County to progress, Mr. Speaker, we must have people, or the County Government and the Executive for that matter, must have people who are objective, Mr. Speaker, who are focused, Mr. Speaker, on the delivery of the legacy and manifesto of His Excellency, the Governor, Mr. Speaker. I stand here on behalf of the people of Tendeno/Sorget, Mr. Speaker, who voted unanimously for me as MCA and His Excellency, Dr. Eric Mutai, as the Governor. It is so embarrassing, Mr. Speaker that the legacy of His Excellency, the Governor, may go down the drain because of staff that are working around the Office of the Governor.

You realize, Mr. Speaker, if work and delivery of services is to be undertaken we must have a workforce-staff that are motivated, Mr. Speaker, and their morale and self-esteem so that it is delivered. It is embarrassing to realize that the County Secretary has been in subordinating the Office of the Governor by acting in a manner suggestive of a one man show. You realize one Mr. Fernandez who was (CFO) Chief Finance Officer was demoted to be a junior officer at the Department of Health without due process. Mr. Speaker, there is a process that is followed. In any case, if someone is to be demoted, Mr. Speaker, they must pass through a

disciplinary panel. It has happened for many occasions, Mr. Speaker, where I have sat twice in the Committee of Health, Mr. Speaker, where we invited Dr. Bor.

Secondly, Mr. Speaker was during the Ad-hoc Committee. We realized, Mr. Speaker, that this gentleman is acting and driving the County as a sole individual entity. During that time, Mr. Speaker, there was also forgery of minutes and in fact, Mr. Speaker, when we invited the clergy, we asked them whether there is forgiveness in that matter, Mr. Speaker. Yes, we were told there are cases that can be forgiven but there is one that cannot be forgiven and I wish to tell this County Assembly that that is blasphemy to the Holy Spirit. Mr. Speaker, it is unforgivable. For that matter, Mr. Speaker, Honourable Daniel Rop, to whom was purported to have prayed in a meeting that was not there, Mr. Speaker, was blasphemy to the Holy Spirit, Mr. Speaker.

So, Mr. Speaker, with those remarks and for progress of this County Dr. Bor must step aside so that the legacy of Dr. Eric Mutai is upheld and get the second term unopposed.

If I will go back to when Hon. Paul Bii was tabling this Motion, and I am very happy because when we were tabling the Londiani Ad-hoc Committee report some of our honourable members were missing in action. I am happy that the mover of this Motion, Mr. Speaker, was absent then but today, Mr. Speaker, he is standing tall to restore the dignity of this County Assembly, Mr. Speaker. And with those, Mr. Speaker, I rest my case and say thank you so much.

*(Loud consultations)*

**The Speaker (Hon. (Dr.) Patrick Mutai):** Order Honourable Members! The honourable Hezron, please, and then I have seen the hand the honourable Amos Birir. We will proceed and then I will give a chance to the mover to reply.

**Hon. Hezron Ngetich: (Member for Chilchila Ward):** Thank you Mr. Speaker, Sir, for the opportunity you have granted me so that I can rise to put a voice in this important Motion today

*(Loud consultations)*

**The Speaker (Hon. (Dr.) Patrick Mutai):** Order Honourable Members! I know you are amused by the documents that the honourable member has carried with him, but please let us be silent. Proceed, honourable Hezron!

**Hon. Hezron Ngetich (Member for Chilchila Ward):** Mr. Speaker you know I am an institutional memory in this House and everything we say we should backed by law.

Mr. Speaker, I want to echo the mover of the Motion and the mood of the House today and again, we have moved away from what one writer called Chinua Achebe, Mr. Speaker, who once said in his book called 'A Man of the People' that we have to move away from what we

call primitive loyalty. Primitive loyalty Mr. Speaker is an act whereby we only support people because they are come from where we are come from Mr. Speaker.

*(Applause and Loud consultations)*

**The Speaker (Hon. (Dr.) Patrick Mutai):** Order! Order honourable Members!

**Hon. Hezron Ngetich (Member for Chilchila Ward):** The reason why I rise with voluminous books Mr. Speaker, is one, that I want to make a clarification that some of the people were claiming that...

*(Loud consultations)*

**The Speaker (Hon. (Dr.) Patrick Mutai):** Order! Order! Let us listen to Hon. Hezron Ngetich! Order Hon. Anthony Ruto! Order!

**Hon. Hezron Ngetich (Member for Chilchila Ward):** Mr. Speaker, I was saying that we have risen to the occasion, whereby we have elevated ourselves from what I was calling primitive loyalty of supporting a person because he comes from where we come from Mr. Speaker. And again, Mr. Speaker, we are here to send a warning to everyone who is a State Officer or holding a public office that when a slave sees another one cast into a shallow grave, Mr. Speaker, he should know that when the time comes, he will enter the same way. So this is an indicator to all the CECs and all the public officers that they should uphold and respect the constitution.

Some people may claim that the County Secretary cannot be impeached and I want to put it clear and in record terms that according to the County Governments Act, Section 44, Mr. Speaker, on the appointment of a County Secretary and I want to read so that it can be on record and to put away all the worries that this honourable members may be thinking. The County Governments Act at Section 44 says: *"There shall be established for each of the County Office of the County Secretary who shall be secretary to the County Executive Committee. The County Secretary shall be competitively sourced from amongst persons who are university graduates with at least ten years' experience in management."* What is important is this: *"shall be nominated from person competitively sourced"* under paragraph (a), *by the Governor and "with the approval of the County Assembly"* appointed by the Governor, Mr. Speaker.

Mr. Speaker, what does that mean? Without the approval of the County Assembly he will not be appointed. That is one indicator that demonstrates that any person who is appointed in the County Government or in any office with the blessings of an approval of the County Assembly, Mr. Speaker, is impeachable.

Number two, Mr. Speaker, Sub-Section (c) says, *"May be subject to the conditions and terms of the appointment be dismissed by the Governor"* So, Mr. Speaker, the County Secretary, "is bound by the terms of appointment. What are the terms of appointment, Mr. Speaker? The appointment to be competitively sourced; to be appointed by the Governor and finally to be



approved by what? The County Assembly, Mr. Speaker! So, he's being bound by the terms of appointment, Mr. Speaker.

Mr. Speaker, our Constitution further tells us at Chapter One Sub Section (2) of the supremacy of the Constitution that, this Constitution is a Supreme Law of the Republic and binds all persons with no exception of the County Secretary by the name of Dr. Wesley Bor. Every person is bound and all state organs in all levels of Government. Whether you are serving in the National Government or in the County Government, Mr. Speaker, the Constitution of Kenya is the supreme law and you should be bound by it. So no person may claim or exercise the state authority except as authorized under this Constitution, Mr. Speaker.

Mr. Speaker, the author of the Motion, Mr. Speaker, or the mover of the Motion has clearly labelled to us the grounds where the County Secretary has violated and he said he has violated the constitution and all the laws. Mr. Speaker, one, according to the mover, he has grossly violated the Constitution at Chapter Six, Mr. Speaker.

Number two, Mr. Speaker, he has violated the County Governments Act at Sub-section 69. There is one incident in time, Mr. Speaker, whereby on 29<sup>th</sup> December, 2023 one County Secretary transferred a Deputy Director CPA Fernandez Korir. He was the Deputy Director and an accounting officer. That is a position, Mr. Speaker, which is competitively sourced, and cannot just be filled through a mere appointment. That position, and you are aware, is a competitive position to be a Chief Finance Officer (CFO). But, Mr. Speaker, what happened? He moved Fernandez to a position which does not exist in the Department of Health Services. Mr. Speaker, Subsection, I think 69 of the County Governments Act with the title 'Re designation of Officers' says, Mr. Speaker, *"In selecting public officers for re-designation, the criteria for appointment as prescribed under this part shall apply. One, a public officer shall not be re-designated to or act in a public office if the office is not vacant."* Mr. Speaker, what does that show you? He violated the constitution and the Act because he re-designated one Chief Finance Officer Fernandez Korir to health department without a vacancy.

Mr. Speaker, number two, the said public officer does not meet all the qualifications. He re designated a qualified person and appointed a person who doesn't qualify to hold that position. The decision for re-designation of the officer may disadvantage except for experience in lower cadre. What is important is what is in Section (3), Mr. Speaker, which says, *"if the public officer re designated, the officer re designate has not consented to the re-designation."* So, Mr. Speaker, the officer had not consented and most of the officers who have been transferred, like one who was head of Human Resource ((HR), Mr. Speaker, who was re-designated to be a Sub -County Administrator, a position she is not qualified. She was so frustrated and had to transfer her services from the County Government to the National Government, Mr. Speaker.

So, Mr. Speaker, those are the reasons why I rise to support this Motion and to tell His Excellency, the Governor because we are his kinsmen and friends. And I want to refer again



to that novel, Mr. Speaker, 'A Man of the People' authored by Chinua Achebe. Mr. Speaker, It was a novel that I read and he once said, and Hon. Cheruiyot Bett can confirm, "*when a mad man runs naked, it is his own kinsmen, who feel ashamed*"

*(Laughter and applause)*

So, Mr. Speaker, what does that tell you? In fact, the people are undressing the Governor, Speaker. He is totally undressing the Governor, Mr. Speaker and we cannot allow that because we are the people who love the Governor; we are his kinsmen. We are feeling ashamed, Mr. Speaker. So, what are we going to do? We are dressing him up, Mr. Speaker. And the way of dressing him up, is by removing those people, who are undressing him.

*(Laughter and applause)*

Mr. Speaker, we want to urge His Excellency, The Governor, that it is us who are trying to protect him and we love him so much, Mr. Speaker. And he should act on the proposal by this honourable house, And, Mr. Speaker; I want to finish by saying and to tell honourable members of this house that, this is the time, Mr. Speaker.

You know, Mr. Speaker, there is a common saying that "when a person who was being rained on outside comes in, and he changes clothes and he has dried up, he or she is more reluctant to move outside in the rain than the person who was inside and going out". So I want to tell honourable members of this house that we have been outside in the rain, Mr. Speaker, and we have been inside for some time. You people who came last, Mr. Speaker, you whom you came, you have not known most of the things and these things will affect us in the near future, Mr. Speaker. And I want to end by saying, if you fail to take away a strong man's sword when he is down, you will not do it when he is up. So this is the time to remove the sword from the hands of Dr. Wesley Bor when he is down. If you don't remove when he is down, when he gets up and becomes strong, you know what he will do with the sword. Thank you. I support the Motion.

**The Speaker (Hon. (Dr.) Patrick Mutai):** Thank you Hon. Hezron! Order! Thank you as the honourable members ponder on how to dress the king as the Honourable Majority Leader Emeritus has said. Looking at the time, honourable members, and we have other transactions in the Order of Business that are before us, I want to call upon the mover of the Motion to reply. Because we still have an opportunity...

*(Hon. Paul Bii stood in his place)*

Order, Honourable Paul Bii! Due to public demand, let me give a minute to the honourable Amos Birir, as the eldest statesman. Yes, the honourable Amos Birir!

**Hon. Amos Birir (Member for Kapkatet Ward):** Thank you, Mr. Speaker, for this chance you have given me so that I support the Motion. First of all, I stand here to represent the great people of Kapkatet by supporting this Motion. Next, I want to congratulate Honourable Paul Bii for raising this Motion. Actually we have waited for long for this Motion. We have been patient for so long and we cannot allow one person to close the County. It is better for us to remove the person earlier than to waste time. So Dr. Wesley Bor case has been long overdue, but I want to thank honourable Paul Bii for coming up with this Motion today. We tried in the past but honourable Paul Bii was not on our side then. But this time, I want to congratulate Paul Bii because actually there is no need for us representing the County of Kericho and we are watching Kericho County falling down. As leaders, most people are watching us saying we elected some members to represent us in Kericho County and they are wasting our resources, because of one person. This man ought to be removed away from Kericho County without wasting time.

Actually we as leaders love our Governor. He's our leader. We elected him and we don't want to see some people waste resources from his office. These are resources for the people of Kericho and we are here to represent our people from various places. All leaders are here to represent the County of Kericho. Without wasting time, let us remove this man by giving him one week and nobody should defend him. There is no need for us wasting time. If he has any other thing to add on he can appeal to us. You remember the other time during the case of Londiani especially the Ad-hoc Committee that was investigating Londiani Victims case, but we failed, but because members are for it, I mean we are ready today then there is no need for us wasting time. Otherwise, thank you honourable members and know that people are watching us. Our County is not progressing. For our county to progress, this man must be removed. Thank you Mr. Speaker!

*(Laughter and applause)*

**The Speaker (Hon. Dr. Patrick Mutai):** Order Honourable Members! Order! The Honourable Paul Bii, the mover of the Motion, please reply!

*(Loud consultations)*

Order, as you give some water to the Honourable Amos Birir, please. Order! Proceed and reply to your Motion.

**Hon. Paul Bii (Member for Kapsaos Ward):** Thank you, Mr. Speaker. Honourable Speaker, allow me first to thank the honourable members for supporting the removal of one Dr. Wesley Bor from office. I want to appeal to all the members. Myself, I'm a very good listener. It's not that in the first place I never wanted to support what the members were doing. I was watching. It happens, honourable Speaker, that before I came in to be an honourable member, I was a soldier and soldiers do watch first.

I'm a very good listener. All this time I've just been going round, you know, trying to dig out on this fellow. It's in the minds of everyone else here that they know that I'm a very great supporter of his Excellency the Governor. He is my friend and I support him fully but I don't want to see my friend going down because of one individual Dr. Wesley K. Bor. I've also been very close to Dr. Wesley K. Bor. I've listened to him. Whenever you tell the Governor something in the morning, in the afternoon he changes because of one Wesley K. Bor. The Governor is a very clean-hearted man and you know he's ready to work for this great County. When we watched Honourable Speaker recently, what the *Gen-Zs* did. Our President is good. Our President is brilliant. Our President means well for this great Country. Our Governor, too, means well for this County. He's a very good-hearted man. So I want to ask everybody here, please, let's rise up to the occasion. Let's support one another as we move forward. Let's move as a team and let's change the narrative. We came here for our oversight role and let's do it with all the diligence we deserve to respect our County. Please, the entire County watches at us.

In fact, in some few minutes, I was seeing the messages which are trickling in and everyone is happy that we are removing this man out of this office. Even the workers on the other side, honourable Speaker, the staff, I tend to believe that after this, they'll go around, you know, celebrating that the County Assembly has moved something that will help them in future. So moving forward, honourable members, let's not be gossipers. I tend to believe that there are those who want to rush to tell Governor, "Oh, it's this, it's this." Please, let's work as a team so that we can achieve what we are supposed to. Thank you, honourable members. Thank you, Speaker, for the support and the support of everybody else. People from Kapsaos know that I am here purposely for them. I need to work for them. We need to have oversight in this County. There are a lot of problems. Getting back when this man was recruited as honourable Speaker; the advert and I want you to check out the qualifications of what he was required to bring to the panel. As we speak today, there are some documents missing, which he forged. This is something that I'll ask the panel as we move forward to look into. This man has cheated his way to be the County Secretary. That is why as I stand here, I don't have confidence in him. Thank you and may God bless us all!

**The Speaker (Hon. (Dr.) Patrick Mutai):** Thank you, the Honourable Paul Bii, the mover of the Motion, for your reply. Honourable Members, now looking at the mood of the House, of course, and the time, and also to confirm that the Motion before the House is supported by at least One-third of the Members of the County Assembly even those who are present and the membership of the Assembly. Now that all the honourable members who wanted to contribute to the Motion have done so, I will now rise to put the question, which is: THAT, this House approves the Motion as moved by Honourable Paul Bii regarding the removal of Dr. Wesley K. Bor as Kericho County Secretary and authorize the County Assembly to thereafter form a Select Committee to investigate on the said allegations, as per Section 40 (2) of the County Governments Act.

*(Question put and agreed to)*

Honourable Members, we will proceed. The Leader of Majority, please proceed!

### MOTION

#### EXTENSION OF TIME FOR THE MORNING SITTING

**Hon. Philip Rono (Member for Kamasian Ward):** Thank you very much, Mr. Speaker, for the opportunity. Mr. Speaker, I just rose and I beg to move the Motion to extend time, Mr. Speaker because from the look of things and as per the Business in our Order Paper, we still have two very long Motions to prosecute. I therefore beg to move a Motion of extension of time until we finish the Business that is in our Order Paper and I kindly request the honourable Deputy Speaker, Hon. Erick Bett, to second the Motion.

**The Speaker: (Hon. (Dr.) Patrick Mutai):** Thank you! Proceed, Honourable Eric Bett the Deputy Speaker!

**Hon. Eric Bett: (Member for Kipchebor Ward):** Thank you so much Honourable Speaker for this chance. I do support the Motion of extension since we still have two other Businesses to address this afternoon. Thank you, Mr. Speaker!

**The Speaker: (Hon. (Dr.) Patrick Mutai):** All right. Thank you so much. Honourable members, I rise to put a question.

*(Question put and agreed to)*

Next order!

**MOTION****REPORT ON VETTING OF RICHARD KIPLANGAT MITEI FOR THE POSITION OF CHIEF OFFICER IN CHARGE OF WATER, ENVIRONMENT, ENERGY, AND FORESTRY, AND NATURAL RESOURCES**

**The Speaker: (Hon. (Dr.) Patrick Mutai):** Order, Honourable Members! The honourable Chairman, that is, the Joint Committee on Water and Sanitation, on the approval of the vetting of one Richard Kiplangat Mitei for the position of Chief Officer in charge of Water, Environment, Energy and Natural Resources. Chairman, please proceed with the tabling of your Motion.

**Hon. Richard Langat (Member for Kedowa/Kimugul Ward):** Thank you very much, Mr. Speaker, Sir. I beg to move a Motion that this House approves the Report on Vetting of Richard Kiplangat Mitei for the position of Chief Officer in charge of Water, Environment, Energy, and Forestry, and Natural Resources. Through your guidance, Mr. Speaker, allow me to go to page eight at 2.0: background.

**The Speaker: (Hon. (Dr.) Patrick Mutai):** Proceed!

**Hon. Richard Langat (Member for Kedowa/Kimugul Ward):** Introduction to approval hearings. On 19<sup>th</sup> June, 2024 the Clerk of the County Assembly notified the public on the vetting approval hearing through the *Standard* Newspaper. The vetting process is detailed in Section 7 of the Public Appointments (County Assemblies Approval) Act, 2017. Following the receipt of the notification of nomination by His Excellency the Governor, the Speaker committed the nomination to the Joint Committee on Water, Environment, Energy, Forestry and Natural Resources as per Standing Order No. 56 (1) for vetting.

The vetting process is guided by the following Laws:

1. The Constitution of Kenya, 2010;
2. The County Government Act, No.17 of 2012;
3. The Public Appointments (County Assemblies Approval) Act, No. 5 of 2017;
4. The Kericho County Public Appointments (County Assemblies' Approval) Act, 2014; and
5. The Kericho County Assembly Standing Order No. 56 (1) and 205.

The approval hearing focused on candidate's academic credentials, professional training and experience, personal integrity and background as per Section 7 (8) of the Public Appointments (County Assemblies Approval) Act, No.5, 2017.

Pursuant to the provisions of Section 7(8) of the Pubic Appointments (County Assemblies Approval) Act, 2017, Mr. Richard Kiplangat Mitei was invited to the approval hearing and was required to submit clearance certificates from the following institutions:

1. The Ethics and Anti-Corruption Commission;
2. The Kenya Revenue Authority;
3. The Higher Education Loans Board;
4. The Criminal Investigation Department and;
5. The Credit Reference Bureau.

The criteria of vetting shall be guided by Section 7 (9) of the Public Appointments (County Assemblies Approval) Act, 2017 which provides that the criteria specified in the first and second schedule of that Act shall be used by the Committee during an approval hearing for the purposes of vetting a candidate. The Committee in its vetting approval hearing used a vetting tool that is in line with the Public Appointments (County Assemblies Approval) Act, 2017.

In conducting the vetting process, the joint Committee on Water, Energy, Environment and Natural Resources examined the nominee against the criteria, amongst others, as set out in the Public Appointments (County Assemblies Approval) Act, No. 5 of 2017.

The set criteria are as follows:

- a. Academic qualifications;
- b. Professional qualifications;
- c. Employment record;
- d. Experience as relating to the docket;
- e. Knowledge of the relevant subject;
- f. Potential conflict of interest;
- g. Pro-bono/charity work;
- h. Integrity;
- i. Vision and leadership;
- j. Expectations and key priorities; and
- k. Overall suitability for the position.

Mr. Richard Kiplangat Mitei of National Identification Number 14439936, Chief Officer Nominee in the Department of Water, Environment, Energy, Forestry and Natural Resources appeared before the Committee on Water and Sanitation and Environment, Energy, Forestry and Natural Resources on 27<sup>th</sup> June, 2024 and was examined under oath and the approval



hearing commenced as per the Public Appointments (County Assemblies Approval) Act, 2017 and the County Assembly Standing Orders.

**Date and place of birth**

He is a Kenyan citizen born on 1<sup>st</sup> December, 1976. He hails from Ainamoi Sub-County, Kericho County.

**Academic Qualifications**

Mr. Richard Kiplangat Mitei attended Kiburet primary school between the years 1982 – 1990 and later joined Poiywek High School. He thereafter proceeded to Jomo Kenyatta University of Agriculture and Technology (JKUAT) for a Bachelor of Science Degree in Agricultural Engineering.

**Professional qualifications**

The nominee is a member of Engineers Board of Kenya.

**Employment record**

The nominee is currently working with County Government of Kericho as an acting Director, for Water and Sanitation from December, 2023 to date, from January to November, 2023 he worked as Ward Administrator, from 2018 to 2023, he worked as Chief Officer Water, Environment, Energy and Natural Resources, from 2008-2010 he worked as an assistant teacher at Chagaik Secondary School, 2006-2014 worked as a Project Administrator at Bartegan Enterprises Ltd and in 2012 he worked in UN-Women Future Force as Trainer of Trainees.

**Knowledge of the relevant subject**

The nominee informed the Committee that, having worked in the department of Water, Environment, Energy and Natural Resources as from 2018 as enable him gained vast knowledge and experience necessary for undertaking the tasks of the docket he has been nominated to. The nominee also has knowledge in Environmental Impact Assessment (EIA).

**Net worth**

The nominee estimated his net worth to be approximately Kshs4.7 million comprising of land parcel measuring 3 Acres, Coffee plantation measuring 2.5 Acres and a motor vehicle valued at 1.2 million.

**Honours and Awards**

The nominee did not indicate any honours and awards accorded.

**Potential conflict of interest**

The nominee informed the Committee that there was no person or issue that brings about the potential conflict of interest in discharging his mandate as a Chief Officer in charge of Water, Environment, Energy, Forestry and Natural Resources.

**Integrity**

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The nominee submitted a Tax Compliance Certificate from the Kenya Revenue Authority which is valid for 12 months up to 8<sup>th</sup> January, 2025.

The nominee provided the Committee with a Certificate of Clearance from the Higher Education Loans Board serial number 670107.

The Director of Criminal Investigations issued the nominee with a Police Clearance Certificate reference number PCC-Y5SKEN6W4 dated 25<sup>th</sup> June, 2024.

The Nominee attached an application for clearance from the Ethics and Anti-corruption Commission dated 25<sup>th</sup> June, 2024.

The nominee also provided clearance certificate from *MetroPol Credit* Reference Bureau reference number MCRB/C749635 dated 26<sup>th</sup> June, 2024.

**Vision and leadership**

The nominee's strategic objective is to ensure that there is increase in water connectivity and accessibility in the entire County and effective service delivery.

**General and sector specific questions to the nominee**

The nominee informed the Committee that, having worked in the department of Water, Environment, Energy and Natural Resources from 2018 enabled him gained sufficient experience necessary for undertaking the tasks in the docket he has been nominated to.

The nominee informed the committee that he has passion to help people access clean water, clean environment and enable the county Government to realize its revenue targets. He informed the committee that his vast knowledge and experience in administration will help him to manage the office he has been nominated to.

The nominee was able to list various divisions in the department which include; water, environment, energy and natural resources. The challenges the nominee highlighted were heavily on revenue collection.

The nominee informed the committee that to address some of the challenges in the county on water, the water providers be issued with licenses and revenue collection to be digitalized. He added that he will engage all stakeholders from across the divide to find ways to solve challenges in the sector.

On navigating the relationship between himself and members of the County Assembly if appointed, the nominee informed the committee as follows:

- a) He will hold regular consultative sessions with the Members of the County Assembly and Assembly committees.

- b) He will ensure the department works closely with the County Assembly in delivery of its mandates by addressing emerging issues that may crop-up in the department. He assured the committee of his availability to attend to issues of the department when called upon.

Regarding the loophole in revenue collection from the department, the nominee stated that he will strive to have revenue collection digitized and will harmonize revenue collection laws both at the county and the national levels to minimize loopholes within the system which makes it difficult for the county to reach its revenue targets and maximize on revenue collection.

Regarding pressure from family and friends seeking services and favours from the docket, the nominee reiterated that he will deal professionally with pressure from friends and family within the given laws that govern public management.

### **Committee observations**

The Committee having considered the criteria as provided by the vetting tool, his Curriculum Vitae and having heard his oral submission during the vetting interview, made the following observations on his suitability for appointment as Chief Officer for Water, Environment, Energy, Forestry and Natural Resources:

1. The nominee satisfies the requirements of Chapter Six of the Constitution of Kenya on leadership and integrity. The nominee has been cleared by the Ethics and Anti-Corruption Commission (EACC), Directorate of Criminal Investigation (DCI), Kenya Revenue Authority (KRA), Higher Education Loans Board (HELB) and the Credit Reference Bureau (CRB).
2. That he demonstrated competence and understanding in various water issues during the vetting session. He understands the challenges Kericho County faces in provision of sufficient clean water for domestic use, wide knowledge in water and environmental conservation, quality standards and harvesting methodologies.
3. Based on his past and current work experience, the nominee has vast experience on matters of water. He is also knowledgeable on issues of environmental conservation as he was able to demonstrate to the committee how he intends to address the issue on wetlands and garbage collection within the municipality in the county.

### **Committee Recommendations**

Pursuant to Section 9 of the Public Appointments (County Assemblies Approval) Act, 2017, the Joint Committee on Water, Environment, Energy, Forestry and Natural Resources recommends that the County Assembly approves the nomination of Mr. Richard Kiplangat Mitei as Chief Officer, Water, Environment, Energy, Forestry and Natural Resources.

**The Speaker: (Hon. (Dr.) Patrick Mutai):** Yes, I think all the attachments have been attached to the Report. Who is your seconder?

**Hon. Richard Langat (Member for Kedowa/Kimugul Ward):** Because it was a joint Committee, I call upon my co-chair Hon. Peter Kemoi to second!

**The Speaker (Hon. (Dr.) Patrick Mutai):** Hon. Peter Kemoi!

**Hon. Peter Kemoi: (Member for Kapsuser Ward):** Thank you Mr. Speaker, Sir. I am here to second the Motion of the nomination of Richard Kiplangat Mitei to the position of Chief Officer in Charge of Water, Environment, Energy, Forestry and Natural Resources. Having interviewed Kiplangat Mitei, he proved that he has some experience having known that he worked for Kericho County as a Chief Officer in the second regime under the leadership of former Governor Prof. Chepkwony Paul. I want to thank the Governor for giving him another opportunity to deliver. Having given him this opportunity, I know the department will improve more.

I want to highlight that since we joined this third regime under the leadership of H.E Dr. Eric Mutai, our department of Water, Environment, Energy, Forestry and Natural Resources Mr. Richard Kiplangat Mitei will now be the fourth Chief Officer in this department. I think this culture of changing the Chief Officer every now and then has made the Department of Water not to perform in the right way. I am urging that if Kiplangat Mitei will be given this opportunity, we want to see the rise in absorption rate of budgeted funds to each and every member in this Assembly. Let the work start immediately so that we achieve our goals and we deliver to our people in the right way and also make our people feel the impact of this County.

Kiplangat Mitei proved to us that there are many challenges in our villages and he went to those areas to solve some community disputes concerning the pipes cutting across people's lands. You know as you lay the pipes it definitely cuts across many people's lands and some people may not like that pipes cut across their lands and Kiplangat Mitei has managed to solve such issues. So I urge that we give him an opportunity and this department will move in the right direction.

Thank you Mr. Speaker, Sir, for the opportunity as I ask members that we support Kiplangat Mitei having known him. I am here as the first timer but members who are here for their second or third time have seen the work of Kiplangat Mitei in this department. Thank you so much Mr. Speaker, Sir.

**The Speaker (Hon. Dr. Patrick Mutai):** Thank you Hon. Peter Kemoi. Hon. Members, I now propose the question.

*(Question proposed)*

I can see a lot of hands up but based on seniority, let me start with the Leader of Majority and then we proceed to...let me see the hands again please. And then I give to the ranking member, the Honourable Cheruiyot Bett and then the Honourable Anthony Ruto. Yes, from

there, and then the Honourable...who is that? The Honourable Francis Terer! Yes, sorry for that. Yes, proceed the Leader of Majority, and then I will come to the second round.

**Hon. Philip Rono (Member for Kamasian Ward):** Thank you very much Mr. Speaker for the opportunity. I've just rose to support the Motion that is before the House. Having the benefit to have served in the other term, I worked with Kiplangat Mitei, one, when he was the Ward Administrator by then and at the same time, he was appointed the Chief Officer for Water, Environment, Forestry and Natural Resources in which I was the chair for the whole committee combined, that is, Environment and Water and Sanitation. I would have doubted if the committee would have brought a different report from this one because in history of parliaments, once you've been vetted, not unless there is a different scandal that might have removed you from the office, but in this case, the other term we vetted the same person and approved him to be the Chief Officer in charge of water, Environment, Forestry and Natural Resources together with the Energy and Sanitation.

Mr. Speaker, based on personal engagement with one Mr. Mitei, when you look at his academic credentials, this is a student that did his Kenya Certificate of Secondary Education (KCSE) at a very small school by then. I know it is now a big school called Poywek Secondary School and in that year he managed to score a B- (B Minus) which used to be a challenge for day schools to find somebody meeting the grades and join one of the best universities in Kenya by then. I think the time Kiplangat Mitei joined university that is, Jomo Kenyatta University of Agriculture and Technology (JKUAT), you remember it was the only university that had been given the conferred power to train Engineers by then was the Nairobi University, number two was JKUAT and Egerton University on issues to do with Agricultural Engineering. For Kiplangat Mitei to beat all odds from Poywek Secondary and join the biggest university in Kenya, that is, JKUAT, is enough evidence that this is a very hard -working human being and I therefore wish to bring to the attention of the House and beg the honourable Members to approve the nominee to continue serving as the Chief Officer for Water, Energy, Forestry, and Natural Resources and Sanitation because of his previous performance.

As I finish, I want to remind the elected honourable members of this House, that part of the reasons for I being here for the second term has been heavily contributed by the same individual since he did marvellously well in terms of implementation of water projects in my area. I know you can't mention my name in my ward without touching on water and this is the man behind all the successful projects in my ward and various wards because we used to move round when I was a chairman-we moved round the County Government of Kericho and the Kericho County boundaries implementing these water projects and I want to state categorically that Mr. Mitei is a real performer and the real deal and if honourable members will still wish to come back, for those who intend to come back to this House, I think some of us might not be interested again in coming back to this House, but will pursue other things outside but for those members who are still interested in coming back to this House, Mr.

Speaker, they need to embrace this man and work together with him. Thank you very much and God bless you!

**The Temporary Speaker (Hon. Vincent Koskei):** Thank you Honourable Majority Leader. Honourable Cheruiyot Bett!

**Hon. Cheruiyot Bett (Member for Ainamoi Ward):** Thank you very much Mr. Speaker for giving me this opportunity to also represent the great people of Ainamoi and from the onset, let me take this opportunity to thank the Joint Committee on Water, Environment, Energy, Natural Resources for a splendid job that they did. I want to thank the Chair of that session who is the honourable Richard Langat representing the great people of Kedowa/Kimugul and the honourable Chair for Water honourable Peter Kemoi representing the great people of Kapsuser Ward in Belgut sub -county.

Mr. Speaker, I do not want to say much, because we are approving today a man that has demonstrated that he is capable of leading this department. For the record, and for those who do not understand, in Water Department nothing was moving before this man was promoted from a Ward Administrator to a Director in that department. When he got the directorship, for like three months now, works began in the department and all the members here and the committee can bear me witness. We are approving a man that has a track record. He was appointed in the last administration as a Ward Administrator in 2013. He rose up from nowhere because of his delivery and the administration then, saw a lot of potential in this man. He was promoted to be a Director in the previous administration and because of working diligently in that Department, the previous administration, in around 2019, promoted this man to be a Chief Officer in charge of Water and the County Assembly then-you've heard the Majority Leader was the Chair, Water, then-and we did approve this man and he did marvellous in the entire county and for the record he has all the qualifications and I want to thank the committee.

I want to draw the attention of the Naysayers to the committee observation on the suitability of this candidate. Number one is that the nominee satisfies the requirement of Chapter Six of the Constitution of Kenya on Leadership and Integrity. The nominee has been cleared by the Ethics and Anti -Corruption Commission. There were letters purporting to be sent from such institutions but I want to draw the attention of the members that this person has been cleared by the Ethics and Anti -Corruption Commission. He has also clearance from the Directorate of Criminal Investigations (DCI). He has complied with Kenya Revenue Authority and of course, as a man who hails from a humble background he lives in Kiburet. Kiburet is in Ainamoi Ward and because he comes from a humble background, he could not have missed from being given assistance by the Higher Education Loans Board (HELB) but he has a clearance certificate. This man when he takes something from someone, he makes sure that he pays and therefore he has a Credit Reference Bureau Certificate because he is a man of integrity. This is someone as the majority of the leaders are saying, he did work hard. I want to be on record to thank His Excellency the Governor Dr. Eric Mutai on behalf of the people



of Ainamoi Ward, and of course, on behalf of the people of Ainamoi Sub -County because this appointment was long overdue.

To take you back a little bit, when we were doing campaigns, I remember leading a group of professionals, just like any other ward. You know, when we are doing elections, you support a candidate for a cause. I led a group of professionals from Ainamoi Ward and we met his Excellency the Governor after nominations at Comfort Hotel. Of course as the professionals of Ainamoi, we told his Excellency the Governor we have a group, a list of professionals that we think as a Sub- County and as a ward one of them can be picked to work in his administration and we shall be very happy as a Sub-county. I was among those leading that team and I want to confirm to the people of Ainamoi Ward and Ainamoi constituency that today His Excellency the Governor sent the name of Engineer Richard Mitei for onwards vetting and approval to that department. As a ward, we say thank you, Your Excellency the Governor, because you did us proud although it was overdue. Two years have elapsed but as the saying goes: "better, a half loaf of bread than none." We are very grateful for this individual. Apart from this, we are not supporting Mr. Mitei because he comes from Ainamoi, we are supporting him because of the good track record that he did when he was the Chief Officer in charge of Water for, like two or three years when he was appointed by the previous administration. I want to confirm to the honourable members here, those who didn't work with Mr. Mitei that trust this man. This is a man that is going to rescue the Water Department in our County. This is a man that is at the centre stage of the Financing Locally-Led Climate Action (FLLOCA) program. If we give this individual an opportunity, I can assure you that the County is going to benefit a lot. This is a man that is going to carry the legacy. He is at the centre of the legacy of his Excellency the Governor. So, today, I am a very happy and humble man today, when I see such an individual being given an opportunity to serve in this County Government of Kericho. Mr. Mitei is an inspiration to some of us. He went to Kiburet Primary School and then proceeded to Poywek, a little known school then, and scored a B-. We are product of this school. I know most of us here we went to those *Harambee* schools. But this is a man who worked hard, getting a B- in Poywek, for those of us who do not know the situation of the school; this is a school that has produced men and women of integrity. I am a proud alumnus of that school. Mr. Mitei went to do Engineering at JKUAT, by that time and the school sent me to the University of Nairobi where Dr. Naaman Rop also was, and of course my Vice-chair for Budget. This is a school that has produced men.

I want to appeal to the honourable House, that let's approve this man and we will see development in our county. Mr. Speaker, as I finalise so that I give an opportunity to other people. I want to appeal to His Excellency, the Governor; I know there are issues that were going round but on behalf of the people of Ainamoi, we tried getting time to reach his office but today the architect of propaganda was impeached in the morning.

(Applause)

I want to urge His Excellency the Governor that this is the man that is going to take your legacy especially on that department to the next level. The Governor should not listen to those that are misadvising him because this is someone who is going to assist him to carry his legacy. I want to appeal to His Excellency the Governor that when this House in the likely event, because I have seen the mood of this House, is that they are going to approve this man without a blink of an eye. I want to urge the Governor that we are here on behalf and as the Member of the County Assembly (MCA) of Mr. Mitei, and of course the people of Ainamoi Ward and the Sub- County, that please stand with this individual. Rosemary resigned because of propaganda from the same guy that was impeached in the morning. She resigned and went back to her work in Kisumu. There was another one called Wesley, another CEO, who hails from Ainamoi Sub -county. He resigned because of pressure that was exerted by the guy that we are determined to take home. This is the only CEO that comes from Ainamoi and I want to appeal to the honourable members, that this is the only CEO remaining in the entire Sub - County that we need to support.

We have no other business other than supporting and we want to thank the Governor because at least we have one from Soin that we are going to approve. Immediately after Mitei, we are coming to the one from Soin, the Chief Officer for Finance. That is a man of impeccable characteristics. After that, I can see the chairman for finance is preparing himself, although somehow the dressing is wanting...

*(Laughter)*

But for today, we will close our eyes because that is a very important report that he is going to the table. In the afternoon, a lawyer is going to be approved to be in charge of the Governor's Office; a lawyer by the name Kirui –Something. We are going to approve that one. He comes from Bureti.

*(Laughter and Applause)*

Yes, he comes from Bureti. Another one comes from Soin, the finance CO. This one comes from Ainamoi Sub -County. How balanced are we going to approve these candidates today? So I want to kindly urge the honourable members that if we go like this when the other now I don't know whether this Bor, where Bor comes from because sometimes he says he comes from Kipkelion. So when the Governor sends us another County Secretary we advise him to get one from where the outgoing comes from and we are going to approve it for you. Thank you and I want to thank everyone here because we are doing a good job. Thank you and may God bless the County Assembly of Kericho and His Excellency, the Governor as he proceeds to issue an appointment letter to Engineer Richard Mitei. Thank you very much!

**The Temporary Speaker (Hon. Vincent Koskei):** Thank you so much honourable Cheruiyot Bett, Member of Ainamoi Ward for your contribution. Honourable Anthony Ruto!

**Hon. Anthony Ruto (Member for Kipkelion Ward):** Thank you honourable Speaker, Sir, for giving me this opportunity so that I may also support the report that has been brought to

this honourable house by the Committee on Water, Sanitation, Environment, Energy, Forestry and Natural Resources. First, let me commend the committee for the good work they did. Secondly, I want to salute His Excellency the Governor for settling on Mr. Richard Mitei as the CO nominee for that particular Department. I want to concur with the honourable member for Ainamoi Hon. Cheruiyot Bett by saying that this is the person that we really rely on as far as water provision in our county is concerned.

According to the report that we have seen again, this is nearly the only person that hails from Ainamoi. I want to salute the Governor for embracing regional balance and we are all aware that the residents of Ainamoi voted unanimously man to man to His Excellency the Governor. And I want to thank him for rewarding the residents of Ainamoi for the good work they did. Number two, we are not supporting Mr. Mitei only because he hails from Ainamoi. He has again all what it takes to take the Department of Water to higher levels. We have looked at his academic credentials, tick. His professional training it is a tick. Knowledge in terms of relevance to that particular docket, it is also tick. He has been serving in this particular department from 2018 up to date meaning that he has sufficient experience in that particular department. So it is also a tick. Our departments have been doing poorly in terms of absorption. But when you look at the Department of Water, the absorption rate is very high, over 80 to 90 percent, meaning that this is the person that we really count on in the Department of Water. What am I trying to say? Overall, Mr. Mitei is suitable for that particular position.

Finally, his Excellency the Governor promised the residents of Kericho County, water. And if we want to achieve this particular issue of water, the people who are supposed to serve in that particular office, among them, it should be none other than Richard Kiplangat Mitei. This is the person. In fact, I was here. This is my second term. I worked with Mr. Mitei in my first term and I have a lot of trust and confidence in him. This is a no-nonsense man when it comes to implementation of programs that concern water. So I have been to honourable members that let us approve the nomination of Mr. Richard Kiplangat Mitei as Chief Officer in the Department of Water. Thank you, I support.

**The Speaker (Hon. (Dr.) Patrick Mutai):** Thank you! Honourable Francis Terer! Now, honourable members, before honourable Francis Terer takes the microphone to contribute, I want us to be mindful of time because we have an afternoon session at 2.30 P.m. We still have another Motion before us during this session. So I therefore request that let's just be as brief as possible and stick to the point. And more so, let's not repeat what the other honourable members have already contributed. Proceed the honourable Francis Terer then I give to Gilbert Ngetich in that order and then I will come to Hon. Philip Mutai.

**Hon. Francis Terer (Member for Cheboin Ward):** Thank you so much honourable Speaker for giving me this opportunity also to support and to thank the Joint Committee of Water, Environment and Natural Resources for the good work. Well done! From the onset, I

want to support this nominee based on three aspects. Number one is the aspect of academic qualifications. Mr. Richard Kiplangat Mitei is a graduate with a Bachelor of Science degree in Agricultural Engineering. So in fact, he's an Engineer. He will be an asset to the Department of Water. Number two, professionally Mr. Mitei is a member of Engineers Board of Kenya. Number three, is the employment record. From the employment record we have in this report, this man has worked in various sectors. From 2012 to 2024 meaning that he has an experience of over 10 years. Currently, this man is an acting Director within the Department of Water and visits various projects in the wards. For example in my ward, there is a water project called Chepkeikei and during the implementation of the project, he personally came to my ward and supervises the project which was ongoing and at the moment, the people of Cheboin ward; the people of Cheptendeniet are enjoying the fruits of this man because they are now taking water. So from the information I have, personally I want to say I support this man. He is the right man for this job. He has a lot of experience academically and professionally. Thank you so much.

**The Speaker (Hon. Dr. Patrick Mutai):** All right! Honourable Gilbert Ngetich and then I will give to Honourable Philip Mutai and then I will go to honourable Moses in that order.

**Hon. Gilbert Ngetich (Member for Kisiara ward):** Thank you, Mr. Speaker, Sir, for giving me this opportunity also to support this particular report made by the Committee on Water and Environment together on actually the approval of Richard Kiplangat Mitei as the CO for this particular department. I just came up here to witness and confirm the kind of work Mr. Mitei has done in my ward. For example in Kisiara I have two running projects where water was drilled and the project is on-going, serving Kisiara so well as I speak today. I could not actually sit there without telling the House that this is the right man if at all we want to really have a successful performance in the Department of Water. I would also applaud you for giving us this opportunity to really come and confirm this particular CO; a CO who is really full of performance. He never lets anyone down when he really decides on a project, he will do what it takes.

I am very sure, even as we talk today, I see now Kipkobob can even come to it life again because of the existence of this guy because he will actually do all what it takes to really check on what is actually making it not to perform because he is a researcher and a guy who really visits the sites to really check on the projects. So, I support and really beseech the House to confirm this particular CO to be the man to man the Department. As the Honourable Cheruiyot Bett said, we believe that the Governor will actually approve him, give him work, and actually we really envisage his success because I am very sure Richard Kiplangat Mitei befits the position. Thank you Mr. Speaker.

**The Speaker (Hon. (Dr.) Patrick Mutai):** The Honourable Philip Mutai!

**Hon. Philip Mutai (Member of Kipchimchim Ward):** Thank you Mr. Speaker, Sir, for giving me this opportunity to contribute on this Joint Report of the Committee on Water, Sanitation, Environment, Energy and Natural Resources. I just want to say congratulations to

the Joint Committee for coming up with a detailed report. I rise to support the appointment of one Engineer Kiplangat Mitei who hails from a Sub -County that I come from. I am supporting not only because I come from that Sub -County. I want to say the performance of the said person is very outstanding. I just came to engage with him at the time when he was working as a Sub –County Administrator, when he was working as a Ward Administrator for Ainamoi. In fact, that is what made me to fight for the seat of Kipchimchim because of the performance which Mitei was undertaking at Ainamoi Ward. Given the professional background of Mitei, I support because his performance where he has worked is so outstanding. Given the field of engineering, we do not need a lot of literature. In fact, I want to say the field of Water Engineering does not need a lot of literature. It does a pipe wrench, a pipe, and glue and then we get the water from the rivers. So I just want to say to the appointing authority to appoint the said Mitei because of his educational background and his outstanding way he has worked. I support the report. Thank you Mr. Speaker!

**The Speaker (Hon. (Dr.) Patrick Mutai):** The Honourable Moses and then I give to Honourable Rogony and then Honourable Paul Bii and then Honourable Martin and then I'll give to the mover with a Motion to reply.

**Hon. Moses Rotich (Member for Tendeno/Sorget Ward):** Thank you so much Mr. Speaker, for giving me this opportunity on behalf of the people of Tendeno/ Sorget to one, congratulate the Joint Committee on Water and Environment for a well -done job. Secondly, we are here to complete a process. Engineer Kiplangat Mitei is here because of a process that there was a vacancy in the Department of Water and Environment secondary to the resignation of a Chief Officer. The process was done competitively through Public Service Board, through an advert, an interview; three names were forwarded to the office of His Excellency the Governor for the appointment. I want to thank His Excellency, the Governor, for having being considerate on his legacy and manifesto and picking this competent man, full of knowledge, background and institutional memory as regard to the Department of Water and on having picked Mitei, you indeed communicated the name to this House, where vetting process was conducted. I support the report on this committee that we approve Engineer Kiplangat Mitei to head this department on behalf of the people of Tendeno. The little time I have known Mr. Mitei we are grateful because we have undertaken several water projects in Tendeno/Sorget, one functional one is the Sorget Primary borehole which for the women and children and the residents of the area used to trek over three kilometres to get water. So for purposes of flow and operationalization of this department, Engineer Kiplangat Mitei is fit for this service...

**The Speaker (Hon. (Dr.) Patrick Mutai):** Thank you.

**Hon. Moses Rotich (Member for Tendeno/Sorget Ward):** As I conclude Mr. Speaker, they say, "Clap until your chance comes." I repeat an Englishman said, "Clap until your chance comes. I wish to clap to the people of Ainamoi for having this opportunity of being given the position of the CO. Where I come from in Tendeno/Sorget, we have been left behind by this Government for a long time. We will continue to clap until our turn comes so that in any



appointment, especially the one that is more vacant, the most recent vacant position to be allocated to the great people of Tendeno/ Sorget. This is a world of endless potential. On behalf of the great people of Tendeno, we welcome any new appointment which is going to come in the near future, Mr. Speaker. Thank you so much.

**The Speaker (Hon. (Dr.) Patrick Mutai):** All right, thank you the Honourable Moses for clarifying that. Remember, this is a House of Statement of Facts and you almost said that there is a vacant position, which we don't know which is which. The Honourable Kiprotich Rogony, one minute please!

**Hon. Kiprotich Rogony (Member for Sigowet Ward):** Thank you, Mr. Speaker. I rise to support the nomination of the committee's report on the approval of Engineer Richard Kiplangat Mitei for the position of Chief Officer in charge of Water, Environment, Forestry and Natural Resources. I am only rising to commend this nominee-he has been serving as Director Water. I have a water project in Kiptere which stalled for more than two financial years and the reason was that there was a dispute. I'm made to know, the first, the founding Member of County Assembly the Honourable Josiah Kirui started the project but it could not proceed because of the dispute emanating from the area. The Member of County Assembly I took over from the Honourable Mitei also attempted even building a tank, but he could not proceed. When I started I faced a lot of challenges. But I can tell you it took the intervention of this Engineer Richard Kiplangat Mitei and the water project is coming to an end in a month's time. It means the entire Kiptere area will be getting water courtesy of this nominee. Where I come from in Cheptuiyet, I have a water project that stalled from 2013 and it is almost coming to an end because of Engineer Mitei. What I can say is, this is an individual with mental strength, the zeal, the passion for the job, and this is a nominee that is going to help the Governor bolster the challenge the sector has gone through for a long time.

Lastly, from the reports that we have from the committee, this nominee met all the requirements; Chapter Six and any other requirement, academic qualification and the experience. Therefore, nobody should even dare deny this nominee an opportunity to be appointed as the Chief Officer for Water, Environment, Forestry and Natural Resources. With this, Mr. Speaker, I support the Report.

**The Speaker (Hon. (Dr.) Patrick Mutai):** Okay, thank you, the Honourable Martin.

**Hon. Cheruiyot Martin (Member for Kapkugewet Ward):** Thank you, Mr. Speaker, Sir, for giving me this opportunity also to contribute or to support the Motion that is before us, the appointment of Engineer Mitei, nominee for Water, Environment and Natural Resources. Mr. Speaker, Sir, based on the qualifications of Engineer Mitei, is one man who is qualified and experienced. I support the nomination of Engineer Mitei, nominee for Water, Environment, and Natural Resources. Based on the qualifications of Engineer Mitei, he is a technical person who is qualified to take this position of CO and also based on his experience over time of his performance in the department and as has also been said by the Honourable Members who have previously served in this House in the last administration, this is one person whom we



can really depend on and can take forward the Department of Water and especially at this time, Mr. Speaker, that we have some challenges on absorption of the budget in that department. I remember when we had the FLLOCA meeting in Nakuru he was addressing the challenges that we have faced in that department.

I want to believe that this person also having interacted in terms of how he is performing, this is one person we can rely on that he can take us far in this Department of Water. So I want to say that I support the nomination of Engineer Mitei and I also remember in the past, His Excellency the Governor, was presiding over some of the swearing-in of CECs and COs in the past, he said: "Do not be people who are just in the offices but come out, roll out your sleeves and go to the field and deliver to the people." I know this man, he doesn't only qualify to be a CO in the office but also even in the field. So I stand to support this nomination and I urge the House to also approve this Engineer Mitei to be a CO of Water. Thank you, I support the Report.

**The Speaker (Hon. (Dr.) Patrick Mutai):** Thank you! The Honourable Paul Bii!

**Hon. Paul Bii (Member for Kapsaos Ward):** Thank you very much Honourable Speaker for allowing me to join my colleagues in supporting this nominee, Engineer Mitei. But before then Honourable Speaker, allow me to thank the Joint Committee on Environment and Water for coming up with a very detailed report on the nominee. Personally, it happens that I have been directed similarly with Engineer Mitei. He is one man who has got a lot of passion in doing his work and he understands very well the terrains of the entire county in terms of piping the water. I have been asked to speak on behalf of the Joint Committee on Environment and Water. As you have heard from the other members, that Engineer Mitei worked with them at the time very well and he has shown his capacity of working in that department with a lot of passion. Mr. Speaker, when Engineer Mitei was being interrogated, he confirmed to the entire team that he is ready to work, and is actually ready to deliver his mandate. Coming from a ward called Kapsaos, there are some areas actually which we don't have water and having sat with Engineer Mitei he proved to have a lot of passion that when given time, I know finally people from my area will get water.

There were some rumours going around Honourable Speaker that after the approval of this House it might be that the Governor will not appoint him. We want to ask those who are very close to him that Engineer Mitei doesn't have anything in his heart. He is there to work and to deliver to the entire county. We've been having challenges especially in the sub-county of Bureti with the issue of water and I believe this man, given time, he will roll out his duties and the entire Bureti will get water. So I'm really in support of this man. Let's give him time and support to deliver on his mandate. So I've just come here to confirm and to receive the approval of the members. As my Sub-county of Ainamoi we actually received having in mind that we lost two COs from the Department but I'm happy today that we've actually done what we were supposed to do. We lost Chief Officer Wesley who went back to where he was. He was frustrated and that is why he went back. To him, he was ready to deliver. We also lost one CO Rosemary in the same department and she was someone who I was very sure that if

she was given time she could have also delivered. So let's all support this man. Thank you Honourable Speaker.

**The Speaker (Hon. (Dr.) Patrick Mutai):** All right! Thank you, the Honourable Paul Bii. I call upon the Mover of the Motion, Honourable Richard Langat to reply.

**Hon. Richard Langat (Member for Kedowa/Kimugul Ward):** Thank you Mr. Speaker, Sir. Let me take this opportunity to thank each and every member who has actually contributed in approving Mr. Richard Kiplangat Mitei, CO Water, Energy, Forestry and Natural Resources. Mr. Speaker, Sir, before I go for my seat I also want to say through our vetting, I found Richard Kiplangat Mitei as a guy who can fit the position and he is actually ready to work with us. So, Mr. Speaker, the moment we approve Mr. Mitei as CO, Water, those problems which used to be in Water, I think will be solved and people of Kericho County will have adequate water and good environment. So, with those few remarks, Mr. Speaker, I say thanks, and maybe I invite my...

**The Speaker (Hon. (Dr.) Patrick Mutai):** All right, thank you. Are you in support?

**Hon. Richard Langat (Member for Kedowa/Kimugul Ward):** I support. Thank you, Mr. Speaker.

**The Speaker (Hon. (Dr.) Patrick Mutai):** Okay. Thank you, the Honourable Chairman of Water and Sanitation Committee. Honourable Members, I now rise to put the question.

*(Question put and agreed to)*

Clerk, Next Order!

## MOTION

### REPORT OF FINANCE AND ECONOMIC PLANNING COMMITTEE ON THE VETTING OF GEORGE KIRER KIPNGENO AS CHIEF OFFICER, FINANCE

**The Speaker (Hon. (Dr.) Patrick Mutai):** Chairman Finance and Economic Planning, I will recommend that you move with speed, of course, starting with just highlighting and then you can move to observations and recommendations. Please, be guided!

**Hon. Hillary Bosuben (Member for Cheplanget Ward):** Thank you, Mr. Speaker for giving me this opportunity to report on vetting of Mr. George Kirer Kipng'eno, Nominee for appointment to the Office of Chief Officer, Finance. Mr. Speaker, considering the mood of the House, you can allow me to rush to point number 3.0, which is approval hearing of the nominee.

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Mr. George Kirer Kipng'eno, nominee for Chief Officer in charge of Finance appeared before the committee on 27<sup>th</sup> June 2024 at 9.30 a.m. and was vetted under oath pursuant to Article 179 (2) of the Constitution and the Public Appointments (County Assemblies Approval), Act 2017 and the County Assembly Standing Orders. The committee noted the following after supplying the documents: that the nominee is a male Kenyan, born on 11<sup>th</sup> October 1981 in Sigowet Ward, Sigowet Sub-county of Kericho County. Having gone through the documents and credentials, we realised that George Kirer is a student of Kericho Boys High School who later on joined Kabianga High School to sit for his KCSE where he scored an A (minus). The nominee later on joined Kenyatta University to do his Bachelor of Commerce, Accounting option, and later on proceeded to do his Masters of Business Administration. We also noted that the nominee is a Certified Public Accountant of Kenya, which means he is a CPA finalist.

On his employment record, the nominee has worked in our County as the Director of Accounting Services from the year 2023 to date and he has also worked as the Chief Officer in charge of Finance in the same organization which is our County Mr. Speaker from the year 2017 to 2022. The nominee as well has worked in our County Government from 2013 to 2017 as Chief Finance Officer (CFO), Mr. Speaker, and Office of the Auditor General from the year 2005 to 2013 as an Auditor. After having asked him some questions, we realized that the nominee estimated his Net Worth as 20 million as at February, Mr. Speaker. The net worth comprises of parcels of land, tea bushes, and movable assets. We asked him if he is a member of any professional organization and we realized that he is a member of Institute of Public Accountants of Kenya (ICPAK) with membership number 9499.

The nominee has published an article, a research paper, titled: *"Competencies of Revenue Collectors and Own Source Revenue Targets Achievement among Selected Counties in Kenya."* We asked the nominee if he has involved himself in any charity work and we realized that he has been building churches and supporting the needy in the society. The nominee has neither been charged in any court of law nor mentioned in any investigatory or report of Parliament or County Assembly in the last three years. He has also never been dismissed or rather removed from office for contravention of the provision of Article 75 of the Constitution of Kenya.

The committee, again, Mr. Speaker, on that day posed several questions regarding his knowledge in the docket of Finance and the he responded very well on so many roles, Mr. Speaker, like on revenue collection, pending bills, on late disbursement of funds, on his relevance to the department he has been appointed to, Mr. Speaker. Just to take you through his response on revenue collection, Mr. Speaker, after considering that revenue collection in our county is a monster, the man in question Mr. Kirer said that going forward, if given an opportunity, collection of revenue will be automated in all revenue streams, capacity building for all revenue staff and he also proposed the formation of revenue port or use of Agencies like Kenya Revenue Authority (KRA) to foster revenue collection while curbing leakages.

In collaboration with the department of Lands and Physical Planning, he said he will advocate for mapping of revenue streams so as to seal any loophole in revenue collection and if need be, the review of valuation roll will be ideal for maximization of revenue. On pending bills, he said and we indicated that a sound and transparent procurement process and plan, with adherence to Public Finance Management Act, will be the only cure.

While responding on the late disbursement of funds from the National Treasury, the nominee indicated that any funds committed during the preceding financial year will be treated as fast charge before any other new projects or works or supplies are implemented. We asked him on his relevance to the department if he will be given an opportunity to work where he said he will work within the organization with varied responsibilities latest being a CO and currently even working as the Director of Accounting Services in the County Government of Kericho, whose duties and responsibilities include budgeting, planning, and implementation of County Executive Committee's decisions on finance matters and strategic plan which answered the capability to steer the Finance Department of County Government to greater heights. The committee, having considered the nominee's CV and having heard his oral submissions during the approval hearing made the following observations on his suitability for appointment as Chief Officer: That in accordance with Section 45 (a) of the County Governments Act, the nominee was competitively sourced and recommended by the County Public Service Board, and that the nominee meets the requirements of Chapter Six of the Constitution of Kenya on Leadership and Integrity having obtained clearance from the statutory bodies including EACC, KRA, CRB and HELB. Again, that the nominee has not been charged in a Court of law in the past three years. The nominee has never been dismissed from office under Article 75 of the Constitution of Kenya for the contravention of provisions of Article 75 Clause (a), Conflict of Interest, Article 76 on financial probity. That the nominee demonstrated knowledge of topical, administrative, and technical issues, touching on the position of the CO for Finance and has the requisite abilities, qualifications, and experience to serve as the County Chief Officer for Finance.

Mr. Speaker, the Committee observed that the nominee met the integrity threshold, demonstrated knowledge of topical, administrative and technical issues touching on the Department of Finance and has the requisite abilities, qualifications and professional, experience to be approved for appointment as the Chief Officer in charge of Finance. We recommended, therefore that having conducted the approval hearing of the nominee pursuant to Article , clause 2, (b) of the Constitution of Kenya, Section 45 of the County Government Act No. 17 of 2012, Section 7 and 9 of the Public Appointments, which is County Assemblies Approval Act No. 5, of 2017, and Standing Order No. 199, the Committee recommends that this House approves the nomination and subsequent appointment of Mr. George Kipngeno Kirer as County Chief Officer in charge of Finance. Mr. Speaker, I would request a member to this Committee, Mr. Speaker, the Deputy Speaker, Hon. Eric Bett, to second.

**The Speaker (Hon. (Dr.) Patrick Mutai):** Alright. The Hon. Eric Bett!

**The Deputy Speaker, Hon. Eric Bett (Member for Kipchebor Ward):** Thank you so much Honourable Speaker for giving me this chance to also second this Report on vetting of Mr. George Kirer. We support his appointment as a Committee. We sat down and we vetted the nominee. Mr. Speaker, Sir, Mr. George Kirer did exemplary well during the vetting process. And just to highlight a few things because in the interest of time, you know the County Government of Kericho has been struggling with revenue collection. That's one area that I was keen; we were keen on as a Committee to find out if we are bringing somebody who will really bring a solution to this particular mess we have in Kericho County. Mr. George Kirer explained to us as a Committee that in matters of revenue collection, he would be able to work on the automation. So he confirmed to this Committee that once approved, his first role is to automate revenue collection in Kericho County.

Number two is that also he will also actualize the issue of Revenue Board because we need to have a functional system which will ensure revenue collection is done in Kericho County. So Mr. Speaker, Sir, having experience that he was the Chief Officer in the previous administration, I believe with that experience that he has done for a long time, he will be able to do and help us in the County Government of Kericho. So we do support.

The last thing is that again notably Mr. George Kirer is also a scholar. In fact, I was impressed because Mr. George Kirer did make a publication in a journal on Own Source Revenue Systems in Kenya. And this is an interesting article which I was reading because you know, you are a doctor I'm sure you also made some publication on a journal. And for Kirer to have, published with his colleagues the issues of Own Source Revenue in Kenya, an article which they were able to do a number of counties, one of them was Kericho, I believe with that research proposal that we were able to do and publicize in that journal, they will be able to help us because this is something that was publicized in a journal this year, and that is something that we look forward to ensure that it has been done. So that alone for me, Mr. Speaker, Sir, was also a game changer for Mr. Kirer. Since he left office last term, he has also been working to ensure that he brings ideas on how to transform the revenue systems in our county. So, Mr. Speaker, Sir, with those many good deeds that Mr. George Kirer has done, I do second his appointment to be Chief Officer in charge of Finance. Thank you, Mr. Speaker.

**The Speaker (Hon. (Dr.) Patrick Mutai):** All right, thank you, the Honourable Deputy Speaker. Honourable Members, I now propose the question.

*(Question proposed)*

The floor is open. Hon. Cheruiyot Bett, then Hon. Kiprotich Rogony and then Hon. Noela Opile.

**Hon. Cheruiyot Bett (Member for Ainamoi Ward):** I thank you once again, Mr. Speaker, for giving me this opportunity to stand and support this Motion on the approval of the Chief Officer for Finance and Economic Planning. I am privileged to have worked with Mr. George Kirer from 2013 to 2022 when he was the Chief Finance Officer then from 2013 to 2017 and when he was promoted to be the Chief Officer in charge of Finance and Economic Planning. I want

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to say that we want to thank His Excellency the Governor because he is getting it right now. In fact, this appointment is long overdue. The two people that we are approving this morning are now the people who are going to assist His Excellency in building his case going into the future.

The monster in the House is the collection of own source revenue which is an elephant in the room. In fact, the Honourable Deputy Speaker has just read my mind because this is a person who has even published a research paper on the *Competencies of Revenue Collection and Own Source Revenue Targets Achievements among Selected County Governments in Kenya*. This man is going to be an asset in terms of dealing with the monster of revenue collection, and I know the Committee on Finance is going to benefit a lot from him. The issue of low revenue collection I think is going to be a thing of the past when this person is appointed as the man in charge of Finance and Economic Planning.

In terms of experience, this man is of impeccable character because he has served from 2005 to 2013 in the Office of the Auditor General. Number two, Mr. Speaker, 2013 -2017 he was the Chief Finance Officer. In 2017-2022, he was the Chief Officer in charge of Finance and Economic Planning before the purported impostor demotion we were discussing in the morning wrote a letter deploying such a person to a different department. I want to thank His Excellency the Governor because he saw the potential in this man and reappointed him to be the man in charge of Finance before now promoting this person to be a Chief Officer. I do not want to say much but If I were the Governor also, this is the man that fits to be the County Executive Committee Member (CEC) in charge of Finance and Economic Planning. I want to tell you, Mr. Speaker, he worked under you. If I were the Governor, I will give this guy to head Finance and look for another because he is overqualified. This guy is going to assist the Governor real time when it comes to finances of this county but I know he is going to assist the CEC-the current CEC-if we give him a clean bill of health to go and serve in that manner. Thank you! I urge the members that we approve this guy.

**The Speaker (Hon. (Dr.) Patrick Mutai):** Hon. Kiprotich Rogony!

**Hon. Kiprotich Rogony (Member for Sigowet Ward):** Thank you, Mr. Speaker. I also rise to support the Report on the Vetting of Mr. George Kipngeno Kirer, the nominee for appointment to be the Chief Officer in charge of Finance. From the onset, I am grateful as a Member of County Assembly representing Sigowet because the nominee comes from my ward. I am elated because at least we feel as a ward we have been rewarded. Number two, this nominee, I participated during the vetting. This nominee understands finance a lot. The nominee, anything that we posed to him, he was able to answer very well. This man has wealth of experience in matters finance. In fact, I have really gone through the counties which have posted the best own-source revenues results, ranging from Homa Bay here to Murang'a and if you check the people who are manning the finance docket, these are people with a lot of experience matters and finance. In fact, the one heading Irungu Kangata's administration, that is in charge of finance, is a professor-somebody who has a lot of academic qualifications, matters finance.



George Kirer has really worked in the sector for the longest time possible. In fact, recently, when he was given a chance to head a program that was dubbed Rapid Results Initiative (RRI) to try and improve on the Own-Source Revenue, the Governor even commended the job because Kirer was able to collect, within a short period of time, a lot of money. Even as I end, I want to urge this House that, going forward, let us hold the Executive to account for every single coin that is collected. Even as I urge the House to approve the nomination of George Kirer to head the finance docket as Chief Officer, I know my able Chairman, Finance, is also somebody who has finance qualification. I want to request this House that let us keep inviting them to this House for them to explain to us what happens with regards to revenues. It's unfortunate, I've seen a lot of counties posting they improved own-source revenues. But Kericho County, we are yet to get a report, and from the look of things, from the nine month period, we only managed 392 million shillings from a target of 1.2 Billion Shillings. I want to believe this nominee, who has a lot of experience in the sector, will help this county going forward to improve massively matters own-source revenue for us to get some development happening going forward. With this, Mr. Speaker, I support the nomination of George Kirer.

**The Speaker (Hon. (Dr.) Patrick Mutai):** Alright, thank you! The Honourable Noela Opile, and then I'll give to Hon. Amos Birir and then Hon. Hezron. Please, and let's stick to two minutes, please.

**Hon. Noela Opile (Nominated Member Representing Women):** Thank you, Mr. Speaker, Sir. I stand here to also support the nominee, George Kirer, for the position of Finance and Economic Planning. Indeed, George is qualified for the position and I really urge this House and the Executive side also that we should support him to do a good job, even in the office. I would also wish that as an Assembly, maybe we can also introduce Bills to establish the Revenue Board so that as he works and as Kericho shines, all of us shine. Thank you, Mr. Speaker.

**The Speaker (Hon. (Dr.) Patrick Mutai):** Alright, thank you! The Honourable Amos Birir!

**Hon. Amos Birir (Member for Kapkatet Ward):** Thank you Mr. Speaker for this chance you have given me so that I contribute something about the nominee, Mr. George Kipngeno Kirer. I am supporting his nomination. When he was here, we tried to give him an interview and he was ready to answer. He was not taking time. All the questions we asked, he answered nicely. This is the right man to handle the problem we had about collection of revenue. He is going to assist Kericho County to improve in collection of revenue. So, thank you, Mr. Speaker, I support the nominee.

**The Speaker (Hon. (Dr.) Patrick Mutai):** Alright, thank you! The Honourable Hezron Ngetich and then I'll give to Honourable Peter Kemoi. Let's stick to two minutes, please, because of time.

**Hon. Hezron Ngetich (Member for Chilchila Ward):** Thank you, Honourable Speaker, for this opportunity you have given me so that I can rise and support the approval of George Kipng'eno Kirer, a very competent person in matters to do with finance. No one can doubt

his ability, his prowess in finance matters, and a wealth of experience. I want to echo His Excellency the Governor, for this time around, getting the right people for the right job. Some of us, who used to advise the administration and gave some advice, that irrespective of where somebody is coming from, sometimes we need to overlook where someone is coming from and choose competence. And now time has come where some of us are being vindicated. What I only wish and encourage the appointive authority, is that it's not enough only to appoint. Now, that is the beginning of the work. The work now is to allow the person holding the office to exercise his abilities, without any constraint. You know, the problem with this county is being held by some strings whereby you are the owner of the office, but you have different authorities directing.

I think if one George Kirer is given the opportunity and left to run the department independently, we will see results in the department. I didn't attend the interview, but I slightly overheard because I was following on the social media the proceeding from the House and one George Kirer said, given an opportunity and the support, this county has an opportunity to raise own-source revenue from the current 300 million to almost Two billion. Kericho has a potentiality. I am on record in this House saying, once upon a time, when this county was run under the defunct County Council of Kipsigis, the richest municipality in the entire county, which was lending money to the National Government, was Kericho. George Kirer demystified some stories that the reason why we are not collecting revenue is because we are understaffed. He said, in fact, the entire revenue chain is overstaffed. The problem is personality and leadership. So I think with the coming of George Kirer and given the opportunity, I think we will be able to raise the revenue and to run the department.

Finally, it is so shameful, that we always over-project our revenues. Last year we over projected to 1.2 billion. But what did we collect? We collected merely 392 million. But there were figures which were being circulated here that we have collected almost 600 or 700 million. But those were fake figures. The Auditor General has come out clear and given us the exact amount which was raised to be 392 million. What does that show, Mr. Speaker? We will be having a deficit of almost 900 million. And what is the impact of that? Some of the Honourable Members do not know the impact of missing the revenue target. When the County Government submits the first quarterly report, you will realize, and this should be on record, you will find that the allocation we had allocated to Roads Department, there is a ward which had been allocated maybe 30 million or 20 million to Roads, and the entire financial year elapsed without payment of even a single road or requisition of a single road. What does that mean, Mr. Speaker? The entire allocation for that ward or department was never consumed. So I think going forward, as I end, I want to implore the Budget Committee and the Finance Committee, that going forward in this coming supplementary budget, our Gen-Zs have told us to live within our means. If they collected 392M, our revenue projection should be 392M, no more, no less. That is what we should do so that if they over-collect, that will be a plus. Otherwise, I support.

**The Speaker (Hon. (Dr.) Patrick Mutai):** Thank you! The Honourable Peter Kemoi! And I don't know whether the Honourable Rogony, you have spoken. All right, thank you! So I'll give to Honourable Edna Tonui and then you'll allow we close this please because of time. Hon. Peter Kemoi proceed!

**Hon. Peter Kemoi (Member for Kapsuser Ward):** Thank you, Mr. Speaker, Sir, for the opportunity. I'm here to support the appointment of George Kirer. We had a meeting on revenue collection in Mombasa. The best person who gave us some advice is Kirer. When we were in Nakuru, he also shared some information. So I know this is a very sensitive position in Kericho County. We need a person who is accountable, transparent, and also has the potential to work for the betterment of Kericho County and it is none other than George Kirer. So I support the report.

Number two, I want also to concur with Hon. Hezron that now His Excellency, the Governor, has sat down and thought twice. When you see the people he is nominating or he is appointing, are those people who have the capability, the knowledge and the strength to work for Kericho County. So I support. I want to add also that this morning it happened that I passed by the headquarters of revenue collection and I found that there are so many people who had gathered discussing the way forward on how they can achieve the targets. So it is something that has become a problem to this County. In fact, they had said, they don't know what the problem with this system is. I am urging the committee on Finance, together with the team of finance in the Executive, to work together, team up together, so that we realize the collection of revenue. Thank you for the opportunity, Mr. Speaker, Sir.

**The Speaker (Hon. (Dr.) Patrick Mutai):** Thank you, the Honourable Peter Kemoi! Finally, the Hon. Edna Tonui!

**Hon. Edna Tonui (Nominated Member Representing Women):** Thank you, Mr. Speaker, for giving me this opportunity to also support Mr. George Kirer Kipngeno for this docket of Chief Officer for Finance. Having heard from other members that Mr. George Kirer Kipngeno has experience in this department of finance, I also stand here today to support him because I know and I have trust that in terms of revenue collection, it will rise in our County Government. I know many a times we have a problem in collection of revenue and now we believe that the Chief Officer will assist us to rise gradually in terms of collection of revenue. I support. Thank you.

**The Speaker (Hon. (Dr.) Patrick Mutai):** Thank you, the Honourable Edna! Now I give a chance to the Mover of the Motion to reply, the Hon. Kibet Bosuben.

**Hon. Kibet Bosuben (Member for Cheplanget Ward):** Thank you, Mr. Speaker. First, I would like to appreciate the Honourable Members for what they have contributed towards the appointment of this great man, Kirer. While I was sitting there, I got so many messages in the morning asking me, "Why are you not contributing to the first Motion in this County Assembly?" And I was responding to them that they are cleaning the House and I will bring fresh blood, a new person, who will work and uplift this county. You know, they were telling

me that if you will not listen and if we will not hear you, then we are going to visit you in the evening. So, I wish that the media people were here again so that they can project and show this Generation Z that I have contributed and made a new person to this County Government.

Secondly, I want to appreciate, as fore mentioned by the Honourable Members, I want to reiterate that Kirer has shown his ability and strength in ensuring that this County Government of Kericho collects just like what the Honourable Majority Leader said that it will surpass the target of two Billion. So, we do believe that if given this opportunity, he will do us the best. Otherwise, I want to thank you and thank your office for facilitating us come up with this report, Mr. Speaker. Thank you so much.

**The Speaker (Hon. (Dr.) Patrick Mutai):** Thank you so much, Honourable Chairman, Kibet Bosuben, for replying to the Motion. Now, Honourable Members, I rise to put the question.

*(Question put and agreed to)*

### **ADJOURNMENT**

**The Speaker (Hon. (Dr.) Patrick Mutai):** Honourable Members, there being no other Order of Business, this House stands adjourned until the next meeting, which is at 2 .30 p.m. Thank you and have a good afternoon.

*[The House rose at 1.26 p.m.]*