

**KERICHO COUNTY ASSEMBLY**

**THE HANSARD**

**Second Assembly**

**Fourth Session**

**Wednesday 5<sup>th</sup> August 2020**

*(The House met at 9.30 a .m.)*

*[Speaker (Hon. Dominic Rono) in the Chair]*

**PRAYERS**

**The Speaker (Hon. Dominic Rono):** Let's proceed!

**COMMUNICATION FROM THE CHAIR**

**The Speaker (Hon. Dominic Rono):** Honorable Members we have been requested by the Chairman Roads Transport and Public Works, the Honorable Paul Chirchir that members submit roads for maintenance under RMLF for Financial Year 2020 by Friday 7<sup>th</sup> of August 2020.

**NOTICES OF MOTION**

**The Speaker (Hon. Dominic Rono):** The Honorable Gilbert Ngetich you can give notice.

**Hon. Gilbert Ngetich:** Thank you Mr. Speaker for giving me this particular time so that I give notice of the following motion;

**AWARE,** that the County Assembly on 28<sup>th</sup> July 2020, the Speaker communicated to the House on a petition he had received from Honorable Aaron Kipkirui Cheruiyot, Senator Kericho County.

Further aware that the Speaker gave a direction on formation of an ad hoc committee to investigate the issues raised in the said petition in consultation with the House Leadership;

Noting that it is the County Assembly's role to oversight the County Executive by ensuring that it adheres to the provisions of the law and resolutions passed by this Honorable House;

I urge this Honorable House to resolve that;

1. An Ad hoc committee be established to look into the various issues raised in the petition whose membership shall comprise of:

- i) Hon. Evans KibetNgeno
- ii) Hon. JosphatRutto
- iii) Hon. Gilbert Ngetich
- iv) Hon.HezronNgetich
- v) Hon. Erick Bett
- vi) Hon. Collins Biegon
- vii) Hon. Dennis Kirui
- viii) Hon. Daniel Ngetich
- ix) Hon. Edith Kaptich

2. The terms of reference of the committee is to report to this House upon investigation on:

- I. Stalled projects since the inception of County Government in 2013 which include:
  - Chebulu conservancy;

- Kamasian Market Shed;
  - Charcoal Briquette House;
  - Fencing of Kipkelion Coffee farm;
  - Paddocking of Chelimo Show Ground;
  - Roret Pineapple Plant; and
  - Kaplelartet Sweet Potato Plant.
- II. Implementation of projects sponsored by the Kenya Urban Support programme since its inception in the County Government and management of the World Bank grants.
- III. Procurement process of services and goods for the Kenya Inter County Sports and Cultural Association (7<sup>th</sup> edition) held in August 2019.
- IV. Management of Covid 19 funds allocated by both the National and County Government.
- V. Challenges in the Lands Housing and Physical Planning department specifically of the County Government assets.
- VI. Distribution of procurable items for special groups in the County Government (Access to Government Procurement Opportunities Programme)
- VII. Breakdown of pending bills from the FY 2013/2014 to date and strategy used to identify the bills to be paid.
- VIII. Implementation of the In house System Service framework policy
2. That the said committee tables the report on the said issues within 30 days of passage of this motion.

Thank you Mr. Speaker Sir,

**The Speaker (Hon. Dominic Rono):** Next Order!

### **STATEMENTS**

**Hon. Gilbert Ngetich:** Thank you Mr. Speaker for this second opportunity you have given unto me to seek a statement;

**Mr. Speaker Sir,** Pursuant to Section 9 of the County Government Act, 2012 and Kericho

County Assembly Standing Order number 44(2), I wish to seek a statement from committee on Health Services on the following issues:-

1. What steps the department has taken to repair the CT Scan machine that broke down in Kapkatet Hospital
2. Why there is no renal unit in the said facility yet it serves many people. Thank you Mr. Speaker.

**The Speaker (Hon. Dominic Rono):** Honorable Hezborn Tanui!

**Hon. Hezborn Tanui:** Thank you Mr. Speaker Sir, on behalf of the committee we may take a month to answer.

**The Speaker (Hon. Dominic Rono):** Honorable Gilbert Ngetich!

**Hon. Gilbert Ngetich:** Thank you Mr. Speaker for giving me this opportunity now that I table this motion,

Mr. Speaker Sir, Aware, that the County Assembly on 28<sup>th</sup> July 2020 the Speaker communicated to the House on a petition he had received from Honorable Aaron Kipkirui Cheruiyot, Senator Kericho County;

Further aware that the Speaker gave a direction on formation of an ad hoc committee to investigate the issues raised in the said petition in consultation with the House Leadership;

Noting that it is the County Assembly's role to oversight the County Executive by ensuring that it adheres to the provisions of the law and resolutions passed by this Honorable House;

I urge this Honorable House to resolve that;

3. An Ad hoc committee be established to look into the various issues raised in the petition whose membership shall comprise of:
  - I. Hon. Evans KibetNgeno
  - II. Hon. Josphat Rutto

- III. Hon. Gilbert Ngetich
- IV. Hon. Hezron Ngetich
- V. Hon. Erick Bett
- VI. Hon. Collins Biegon
- VII. Hon. Dennis Kirui
- VIII. Hon. Daniel Ngetich
- IX. Hon. Edith Kaptich

2. The terms of reference of the committee is to report to this House upon investigation on:

IX. Stalled projects since the inception of County Government in 2013 which include:

- Chebulu conservancy;
  - Kamasian Market Shed;
  - Charcoal Briquette House;
  - Fencing of Kipkelion Coffee farm;
  - Paddocking of Chelimo Show Ground;
  - Roret Pineapple Plant; and
  - Kaplelartet Sweet Potato Plant.
- I. Implementation of projects sponsored by the Kenya Urban Support programme since its inception in the County Government and management of the World Bank grants.
  - II. Procurement process of services and goods for the Kenya Inter County Sports and Cultural Association (7<sup>th</sup> edition) held in August 2019.
  - III. Management of Covid 19 funds allocated by both the National and County Government.

- IV. Challenges in the Lands Housing and Physical Planning department specifically of the County Government assets.
  - V. Distribution of procurable items for special groups in the County Government (Access to Government Procurement Opportunities Programme)
  - VI. Breakdown of pending bills from the FY 2013/2014 to date and strategy used to identify the bills to be paid.
  - VII. Implementation of the In house System Service framework policy
- 4. That the said committee tables the report on the said issues within 30 days of passage of this motion.

Thank you Mr. Speaker Sir for this opportunity am actually of this opinion that we take this direction because there are many projects that are being touched on like the pineapple plant project which has stalled from 2013. We need to check and know why these projects are really stalling, why other issues are not resolved. I am only urging this house to pass the ad hoc committee so that they may go and investigate so that we have the report because our time is lapsing and these projects will remain incomplete and is not fair to the people of Kericho County. We need to know these and really spearhead and get to know the resolution on getting g them to prosper. Thank you Mr. Speaker. I request Hon. Alex Bett to second.

**The Speaker (Hon. Dominic Rono):**Hon. Alex!

**Hon. Alex Bett:** Thank you Mr. Speaker for this opportunity to second the motion before this house. I think Mr. Speaker Sir that the motion that have been tabled by Hon. Gilbert Ngetich Majority Whip as come at the right time though petition came from our Honorable Senator, I think there are so many pertinent issues that has come even before this house. Unfortunately no action has ever been taken. I want to believe that that Ad-hoc committee that has been selected to do the work according to this motion will be able to unravel some of the issues that has been pending. You have realized that some of the issues has been sought as statements before this house some even have been brought to this house as report no action has ever been taken to implement issues raised in this

house. So I want to believe that this time round that the report that will come to this house by Ad-hoc committee shall be implemented to the letter. I don't see the reason why every other time we raise statements or even seek clarification in this house definitely every other time the Executive rubbishes it and then these things are just rotting in shelves and gathering dust. So I want to support formation of this Ad-hoc Committee I want to believe that the thirty days from today, the Ad-hoc Committee will be able to report to this house with concrete recommendation and concrete answers that has been sought by our Senator. Otherwise I beg to support thank you.

*(Question proposed)*

**The Speaker (Hon. Dominic Rono):** Any member, Yes Hon. Paul Chirchir!

**Hon. Paul Chirchir:** Thank you very much Mr. Speaker. I rise to support the motion because the issues that have been raised here are very weighty and I trust the composition of this Committee and I know the issues like Chebule Conservancy, Kamasian market shed and of more importance is the management of Covid 19 funds allocated by both the National and the County government. Yesterday we saw a clip going round the media of a patient who alleges that he had been denied food but when I went there I was touched and I realized that much as there has been problems in the facility there are more challenges. So we would want to be told what they have done with the funds allocated by the National Government and the County Government. I remember this house approving Ksh. 116 Million for Covid 19. As we speak right now our taps are dry, people are not washing their hands and this is a very serious matter. So I urge this committee to move with speed like yesterday they have our support. They should focus on the term of reference and make sure that in the interest of the public and the interest of the mandate of this house this committee should come back with a comprehensive report, a report that is water tight with recommendation for consideration by this house. Of importance also is pending bills which have been a nightmare. We are not sure of the list because today we are given this list the next day we are given another so I trust this committee that they will be able to give us exact pending bills supported with the documents. The other nightmare is Kenya Urban Support

Programme which has been getting Millions and Millions of money. The last appropriation was Ksh 256 million. All we see in town is renovation which has been going on for over a year and we are told that there are three more projects. So this committee should be able to give us proper feedback with proper information for this House to be able to make informed decisions. So my humble appeal is that this committee moves with speed once this motion is approved. Of importance again is the implementation of the in-house systems framework policy. It may have loopholes, it may have been abused but this committee should give us how the in-house system has been implemented, how it has assisted the county and finally it is high time that this house considers doing its work more seriously. This is because yesterday I saw members of parliament trying to teach us our work. We know our work and our mandate and we will not remind them of their work too. So I support this motion totally. Thank you very much.

**The Speaker (Hon. Dominic Rono):** Thank you. Hon. Sammy Rono!

**Hon. Gilbert Ngetich:** Point of order!

**The Speaker (Hon. Dominic Rono):** Yes, Hon. Gilbert Ngetich!

**Hon. Gilbert Ngetich:** Thank you Mr. Speaker is it in order for Honorable Sammy Rono to be in the Assembly doing an official work without dressing appropriately yet he is the senior most member of this Assembly? I am surprised that you have given him an opportunity but I know that he won't stand up to contribute because he is not presentable. Is this not something that is worth punishment? Thank you Mr. Speaker.

**The Speaker (Hon. Dominic Rono):** Honorable Chief Whip, you know that I cannot see from here until you tell me to see. So I will ask the Serjeant at Arms to confirm if the member does not really have a tie. Hon. Sammy Rono you know the rules of the house!

*(Hon. Sammy Rono steps outside to dress appropriately)*



Anyone else who wants to contribute, Hon. Grace Koech! Please use the other microphone and put off the other one first. The idea is to reduce the number of users of the same microphone for a long time.

**Hon. Grace Betty Koech:** Thank you very much for this opportunity. I want to support and before I do that I want to speak about the formation of this committee ...

**Hon. Paul Chirchir:** Point of order!

**The Speaker (Hon. Dominic Rono):** Yes, Hon. Paul Chirchir!

**Hon. Paul Chirchir:** Mr. Speaker the Standing Order is very clear, a member rises to either support or oppose, you cannot be fifty fifty. So may the member be informed.

**The Speaker (Hon. Dominic Rono):** Hon. Grace Koech!

**Hon. Grace Betty Koech:** Thank you very much Hon. Chirchir for the information. I rise to make an amendment on the formation of the membership. On the side of gender, the composition does not meet the one third gender rule. It is my humble request that I urge this house to make an amendment by adding two more ladies. Thank you very much.

**Hon. Paul Chirchir:** Point of order!

**The Speaker (Hon. Dominic Rono):** No. it is okay. You see there is no amendment that has been moved. She is urging the house to consider but she has not moved any amendment.

**Hon. Grace Betty Koech:** So you want me to move an amendment?

**The Speaker (Hon. Dominic Rono):** Yes that is what you ought to have done!

**Hon. Grace Betty Koech:** Ok. Thank you very much Mr. Speaker. I am happy that you have given me the direction, I rise to give an amendment that the composition of the membership does not meet the third gender rule and thus some more members should be added.

**The Speaker (Hon. Dominic Rono):** So you seek to amend which part of the motion?

**Hon. Grace Betty Koech:** The part of the formation, that membership shall comprise ...

**The Speaker (Hon. Dominic Rono):** It is alright I have seen on bullet one.

**Hon. Grace Betty Koech:** It is just under...

**The Speaker (Hon. Dominic Rono):** And you note that there are names here, so which names are you proposing?

**Hon. Grace Betty Koech:** I am not touching on the existing names but just saying if possible and I don't have anybody in mind but am asking if two Honorable ladies can be added to make the number eleven.

**The Speaker (Hon. Dominic Rono):** Who is seconding your amendment motion?

**Hon. Grace Betty Koech:** I request the Honorable Hezborn Tonui to second.

**The Speaker (Hon. Dominic Rono):** Hon Hezborn Tonui are you seconding? The Hon Hezborn Tonui has declined to second.

**Hon. Grace Betty Koech:** Hon. Anthony Rutto!

**The Speaker (Hon. Dominic Rono):** Anthony Rutto!

**Hon. Paul Chirchir:** Point of Order!

**The Speaker (Hon. Dominic Rono):** Let us first hear whether Hon. Anthony Rutto is seconding, are you seconding?

*(Hon. Anthony Rutto declines to second)*

**The Speaker (Hon. Dominic Rono):** Yes Hon Paul Chirchir?

**Hon. Paul Chirchir:** I have a lot of respect to the Honorable and again I want to request and urge her to read the Standing Orders. When you make or you move an amendment and the seconder declines, the amendment dies. So may the member be informed.

**The Speaker (Hon. Dominic Rono):** Thank you. So that is the position. Hon. Anthony Rutto did you want to say anything? Given that Hon. Paul Chirchir has killed the amendment? So anyone else who wants to make contributions to this motion? The Hon. Hezborn Tonui?

**Hon. Hezborn Tonui:** Thank you Mr. Speaker for allowing me this chance to rise and support this motion by Hon. Ngetich that ad hoc committee is formed to seek for concrete answers and come back in 30 days. Since the inception of devolution in Kenya, we want to see these projects are done. So may the ad hoc committee go to the field, assemble all the results, come back and inform this honorable house, so that we can support. Thank you Mr. Speaker.

**The Speaker (Hon. Dominic Rono):** Thank you, the Hon Gilbert Ngetich do you want to respond?

**Hon. Gilbert Ngetich:** Thank you very much Mr. Speaker sir ...

**The Speaker (Hon. Dominic Rono):** Or reply, please reply, it is a reply!

**Hon. Gilbert Ngetich:** Let me reply, thank you Mr. Speaker for the opportunity you have given unto me. I saw you are really concerned with the female members of the County Assembly, because we have become male chauvinists but may God protect us.

Thank you Mr. Speaker for this opportunity, let me just thank the honorable members for also contributing by supporting this particular formation of the ad hoc committee, which of course it will work smart. Thank you because I know we will really work alongside the mandate in which we are bestowed upon by the formation, that we really go and know what is happening and what

is going on in the Executive arm pertaining the stalled projects and many other highlighted factors Mr. speaker. Let me thank also this formation because I see there is chair for Implementation that is Hon. Eric Bett. Which of course after us working day and night within these 30 days to achieve the goals in which we are given, we expect faster and proper implementation of the report. I am very sure chair Implementation will really assist us when we will be working through these particular projects and highlighted areas. Let me just represent the team by giving our confidence to our honorable members and Assembly at large that we will work very well and bring a report which is water tight and shall enable this county to prosper and to have things which are wrong right and have people do the right things at the right time. Thank you Mr. Speaker and May God bless all of us as we pursue this particular move.

**The Speaker (Hon. Dominic Rono):** Thank you very much the honorable Chief Whip.

*(Question put and agreed to)*

*(Adjournment)*

**The Speaker (Hon. Dominic Rono):** So Honorable members we adjourn till 2:30 pm in the afternoon. Thank you.

*(The house rose at 10:15am)*

