

First Assembly  
(N0.040)



Fifth Session  
(Morning Sitting)  
(040)

REPUBLIC OF KENYA  
BOMET COUNTY ASSEMBLY  
FIRST ASSEMBLY – (FIFTH SESSION)  
VOTES AND PROCEEDINGS  
WEDNESDAY 12<sup>TH</sup> April, 2017 AT 9.00 A.M

1. The Assembly assembled at five minutes past nine o'clock.
2. The proceedings were opened with prayer.
3. The bell was rung for 10 minutes

**4. MEMBERS PRESENT**

1. Hon. Geoffrey Kipngetich-Speaker
2. Hon. Joyce Korir
3. Hon. Stephen Changmorik
4. Hon. Benard Ngeno
5. Hon. Sammy Kipsiele Kirui
6. Hon. Josphat Kirui
7. Hon. John Ngetich
8. Hon. Samson Towett
9. Hon. Rose Boiyon
10. Hon. Julius Korir
11. Hon. John Molel
12. Hon. Mosonik William
13. Hon. Chepkoech Leah
14. Hon. John Chepkwony
15. Hon. Patrick Chepkwony
16. Hon. Christopher Ngeno
17. Hon. Chepkemai Evaline
18. Hon. Sammy Chelule
19. Hon. Wilson Keter
20. Hon. Hellen Chepkirui
21. Hon. Siele Philip
22. Hon. Robert Metet
23. Hon. David Rotich Big Five
24. Hon. Aurelia Chepkirui

25. Hon. Nancy Chepkirui
26. Hon. Robert Bett
27. Hon. Philip Korir
28. Hon. Andrew Maritim
29. Hon. Bency Too
30. Hon. Josephine Rotich
31. Hon. Taplelei Rotich
32. Hon. Beatrice Chebomui
33. Hon. Leonard Kirui
34. Hon. Robert Serbai
35. Hon. Samwel Bor

#### **MEMBER ABSENT**

1. Hon. Reuben Langat

#### **5. STATEMENTS**

The following statements were due;

- 1) Statement sought by Hon. Julius Korir on 13<sup>th</sup> December, 2016 from the chairperson of the Budget and Appropriation Committee regarding construction of the Governor's official office. In particular, the Hon. Member wished to be informed on the following;
  - a. How much is the total cost of construction of the Governor's official office adjacent to the High Court Building?
  - b. Which is the budget line was used to do the construction?
  - c. How much has been utilized so far?
  - d. Who is the contractor in site?
  - e. Has there been any variation in the contract since the inception?
  - f. When was the expected timeline for the project and if there was any extension, what necessitated it?
  - g. When is the expected completion?
  - h. The concerned department to supply the approved drawing, NEMA permit and NCA approvals acquire

*The Statement was committed to the Committee on Budget and Appropriation Committee (Statement No. 85)*

The response was not given and the Chairperson sought for more time. The Speaker directed that a response be given by the Committee on 9<sup>th</sup> May, 2017 at 2.30 p.m.

- 2) Statement sought by Hon. Samson Towett on 18<sup>th</sup> January, 2017 from the Chairperson Committee on Roads, Transport and Public works on the remittance of ad valorem levy funds which were released to the County Government of Bomet on 20<sup>th</sup> July 2016 by the Tea Directorate of Kenya amounting to **KES 63,134,352**. The said funds were supposed to be remitted to respective factories based on their production figures for the development and maintenance of roads in tea growing areas. In the statement, the Chairperson should indicate;
- i. Whether these funds have been released to the respective factories?
  - ii. If not, then why has the County Executive not released these much needed funds to assist in the development of poor road network in these tea growing areas?
  - iii. If (a) above is in the affirmative, then what system did the County executive employed in dispensing the funds to the factories and how much did each factory get?
  - iv. Whether the funds were captured in the budget as this is an additional revenue to the County

*The Statement was committed to the Committee on Roads, Transport and Public works (Statement No. 86).*

The response was not given and the Chairperson requested to give the response in the afternoon. The Speaker directed that a response be given by the Committee on Wednesday 12<sup>th</sup> April, 2017 at 2.30 p.m.

- 3) Comprehensive statement sought by Hon. Samson Towett from the Chairperson, committee on Budget and Appropriation on the following;
- i. How much does the county expect as revenue from tea cess for F.Y 2016/17?
  - ii. Was the tea cess revenue factored in the budget for F.Y. 2016/17?
  - iii. Provide a list of roads to be constructed/maintained or the ones already constructed/maintained from tea cess revenue in the F.Y. 2016/17
- The statement was committed to the committee on Budget and Appropriation which was given until 7<sup>th</sup> February 2017 to respond.

*The Statement was committed to the Committee on Budget and Appropriation (Statement No. 92)*

The response was not given and the Chairperson sought for more time. The Speaker directed that a response be given by the Committee on 9<sup>th</sup> May, 2017 at 2.30 p.m.

- 4) Comprehensive statement sought on 24<sup>th</sup> January, 2017 by Hon. Robert Serbai from chairperson committee on Administration, peace Justice and Legal Affairs concerning the role of the county administrators. In the statement, the Chairperson should indicate;-
- a) Whether he is aware that the said administrators are currently recruiting members to *Chama Cha Mashinani (CCM)* and advocating for policies of the same party?
  - b) Who instructs the said officers to recruit members to CCM party?

- c) What disciplinary measures has the County executive taken given that the said administrators are public officers and have therefore breached the provisions of section 15 of the Public Officers Ethics Act?

*{The statement had initially been committed to the Committee Labour and Public Service but on 8<sup>th</sup> February, 2017 it was directed that it be handled by the committee on Administration, peace Justice and Legal Affairs. The committee was given 7 days to report to Assembly) - (Statement No. 94)*

The response was not given and the Chairperson sought for more time. The Speaker directed that a response be given by the committee on 10<sup>th</sup> May, 2017 at 2.30 p.m.

5) Comprehensive statement sought by Hon. Samson Towett on 22<sup>nd</sup> June, 2016 from the Chairperson, Committee on Infrastructure (Roads, Transport and Public works) on motor vehicles procured by the County Executive. He recently noted that several Isuzu D-max double cabin motor vehicles, tractors, water boozers, lorries, truck cranes were acquired by the executive arm of county government. In the statement, the chairperson should explain the following:

- a. How many in number, for each category, type and cost of the stated motor vehicles and machines were acquired in the FY 2015/16?
- b. What is the identity of the supplier and nature of agreement (Payment on delivery or Hire purchase)?
- c. How much revenues on average are being collected monthly by water boozers and whether they being declared as Appropriation in Aid (A.I.A)?
- d. In the adopted Budget and Appropriation committee report, the CEC member for Finance stated as follows; *“Purchase of motor vehicles: was allocated the amount to allow for payment of the vehicles already purchased. The vehicles are being paid for instalments which will spill over to the FY 2016/2017”* From the above CEC statement, the Hon. Member need the following explanations;
  - i. The number of motor vehicles purchased through via hire purchase agreement in the FY 2015/16,
  - ii. The name of the supplier and the total amount spent on motor vehicles in the FY 2015/16
  - iii. Make and model of the motor vehicles purchased in the FY 2015/16

*The statement had initially been committed to the Committee on Infrastructure (Roads, Transport and Public works) but on 15<sup>th</sup> February, 2017 at 2.30 p.m, the statement was formally referred to Budget and Appropriation Committee which was then given 14 days to respond to the issues. (Statement No. 58)*

The response was not given and the Chairperson sought for more time. The Speaker directed that a response be given by the Committee on 9<sup>th</sup> May, 2017 at 2.30 p.m.

**6. MOTION (Chairperson, Committee on Budget and Appropriation)**

**THAT**, Pursuant to Standing Orders No. 218 of the County Assembly, this County Assembly adopts the 3<sup>rd</sup> report of the Committee on Budget and Appropriation on the Bomet County Supplementary Budget for 2016/2017 Financial Year laid on the table of the Assembly on 11<sup>th</sup> April, 2017 and pursuant to Section 135 of the Public Finance Management Act 2012 approves the Supplementary Budget.

The Motion was moved by the Budget and Appropriation Committee A.g. Vice Chairperson, Hon. Leonard Kirui.

The motion was seconded by Hon. Samson Towett

The question was proposed and debate arose.

The following members rose to support the motion

1. Hon. Taplelei Rotich
2. Hon. Robert Bett
3. Hon. Stephen Changmorik
4. Hon. William Mosonik
5. Hon. Andrew Maritim
6. Hon. Julius Korir

The mover was given right of reply

The question was put and agreed to.

**7. Procedural Motion (Deputy, Leader of Majority)**

**THAT**, Pursuant to Standing Orders 30 (3) (b) this County Assembly resolves to sit on Wednesday, April 12<sup>th</sup> 2017 at 12.30 p.m instead 2.30 p.m.

The motion was seconded by Hon. Philip Korir

The question was proposed and debate arose.

The following member rose to support the motion

1. Hon. Beatrice Chebomui

The following member rose to oppose the motion

1) Hon. Sammy Chelule

The mover was given right of reply

The question was put and agreed to.

## **8. ADJOURNMENT**

The Assembly was adjourned to Wednesday, 12<sup>th</sup> April, 2017 at 12:30 pm.

**9.** The Assembly rose at 1200 Hours.