



OFFICIAL HANSARD REPORT

COUNTY ASSEMBLY OF BOMET

THIRD COUNTY ASSEMBLY

ASSEMBLY DEBATES

Vol. 2 No. 96

DAILY HANSARD

The Assembly met at the Main Assembly Chamber,

Dr. Joyce Laboso Centre at 2:30 p.m.

Third County Assembly- Second Session

Tuesday Afternoon 14th November, 2023

(The Assembly met at 2:30 p.m. in the

County Assembly Mini Chamber at County Assembly Buildings)

[Hon. Deputy Speaker (Hon. L. Rotich) in the Chair]

PRAYER

Hon. Deputy Speaker (Hon. L. Rotich): Hon. Members, welcome to this session. We can proceed to the Orders of the Day.

QUESTIONS AND STATEMENTS

QUESTION ON THE CONSTRUCTION OF NYANGORES WARD OFFICE

Hon. J. Samoei, Deputy Leader of Majority (Nyangores Ward, UDA): Hon. Deputy Speaker, thank you. My question is to the Chairperson, Committee on Administration, Legal Affairs and Citizen Engagement regarding the construction on the Nyangores ward office which has not been completed ...

(Hon. E. Kirui rose on a point of order)

Hon. Deputy Speaker (Hon. L. Rotich): What is your point of order, Hon. Eric?

Hon. E. Kirui (Kimulot Ward, UDA): Hon. Deputy Speaker, looking around, there is a quorum hitch in the Assembly and I am afraid that we are transacting business without a quorum. Kindly give us direction.

Hon. Deputy Speaker (Hon. L. Rotich): It is true, Hon. Member. I instruct the Serjeant-at-Arms to ring the bell for 10 minutes.

(Quorum bell rung)

(Hon. J. Samoei rose on a point of order)

Hon. J. Samoei, Deputy Leader of Majority (Nyangores Ward, UDA): Hon. Deputy Speaker, we have attained the quorum.

Hon. Deputy Speaker (Hon. L. Rotich): Hon. Member, thank you. The floor was yours, Hon. Joseah.

Hon. J. Samoei, Deputy Leader of Majority (Nyangores Ward, UDA): Hon. Deputy Speaker, thank you. My Question is to the Chairperson, Committee on Administration, Legal Affairs and

Citizen Engagement regarding the construction on Nyangores ward office which has not been completed. Specifically, I ask to be informed:

1. Why the project has stalled for over ten years;
2. Whether the contractor has been paid for the construction work done; and
3. What plans the relevant department has concerning the completion of the project.

Hon. Deputy Speaker, thank you.

(Hon. J. Samoei tabled the Question)

QUESTION ON THE STATUS OF MOGOMBET WATER PROJECT

Hon. J. Kipkirui (Singorwet Ward, INDEPENDENT): Hon. Deputy Speaker, thank you. My question is to the Chairperson, of the Committee on Energy, Environment, Water, and Natural Resources concerning the status of the Mogombet Water Project in Bomet Central which is supposed to serve the residents of Silibwet Township and Singorwet Ward.

Hon. Deputy Speaker, despite substantial resources allocated, the project seems to have failed in fulfilling its intended purpose. Specifically, I want to be supplied with a detailed report on:

1. The current status of the project;
2. The reason for its inefficiency; and
3. The steps being undertaken to rectify this situation and to ensure that the residents receive the expected benefits.

Hon. Deputy Speaker, this is a crucial matter and would like you to direct the Committee to fast-track and give us the report within a short time. Thank you.

Hon. Deputy Speaker (Hon. L. Rotich): I commit the first Question on the stalled ward office in Nyangores Ward to the Committee on Administration, Legal Affairs, and Citizen Engagement. The scope of the work for the Committee is to include other wards which could have stalled ward offices so that the issue of ward offices can be put to rest.

I commit the second Question raised by Hon. Josphat to the Committee on Energy, Environment, Water and Natural Resources. The two Committees should respond to this Assembly within 21 days.

(Hon. J. Kipkirui rose on a point of order)

Hon. J. Kipkirui (Singorwet Ward, INDEPENDENT): Hon. Deputy Speaker, as requested, I would like you to consider this matter urgent and I request that you direct the Committee to report within 14 days.

Hon. Deputy Speaker (Hon. L. Rotich): The matter pertaining Mogombet Water Project is urgent but the Committee also requires sufficient time. 21 days is fine, Hon. Member if you need a detailed response to your Question likewise to the committee on administration, legal affairs,

and citizen engagement at least 21 days will be sufficient and I have instructed the chair to include other wards in which they could have stalled ward offices. Thank you, honorable member.

Hon. J. Kipkirui (Singorwet, INDEPENDENT): Hon. Deputy Speaker, allow me to raise this and I beg that you may have to consider since we shall be proceeding with a recess within 21 days. Therefore, I am humbly requesting you to push it closer. Thank you.

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Hon. Deputy Speaker (Hon. L. Rotich): When are we proceeding for recess Hon. Member? You could be relying on non-factual information. Our recess will be somewhere in early December; I am raising the timeline to 14 days. Kindly work round the clock to make sure that you serve this Assembly with sufficient answers within 14 days. Honorable chair administration.

(Hon. D. Kirui rose on a point of order)

Hon. D. Kirui (Ndaraweta Ward, UDA): Hon. Deputy Speaker, on 17th October I asked a question that you directed to the committee on Water and Natural Resources but up to date, I have not received any information regarding the same. Hon. Deputy Speaker, I would like to request that the Mogombet water project issue be treated with urgency. Please push it closer.

Hon. Deputy Speaker (Hon. L. Rotich): Likewise, to the question which was raised by Hon. Dancel, Chair for Water and Natural Resources to also furnish this Assembly with the answer to the question and to be taken also as urgent. We are going on with questions and statements. There was a question that was raised by Hon. Eric Kirui on 18th October 2023 and it was committed to the Committee on Labour and Public Service.

Hon. O. Koskei (Nominated MCA, UDA): Thank you, Hon. Deputy Speaker, Sir. We have received the question asked by Hon. Eric Kirui but we have not received a comprehensive response from the members of the County Public Service Board. I am seeking for more time. Immediately when we receive the comprehensive response from the County Public Service Board, we shall come up with the response.

Hon. Deputy Speaker (Hon. L. Rotich): When do you intend to give us a response?

Hon. O. Koskei (Nominated MCA, UDA): Allow me to ask for more than 7 days.

Hon. Deputy Speaker (Hon. L. Rotich): 7 days is a lot Hon. Member. Kindly furnish this Assembly with a comprehensive answer to this question on Thursday afternoon.

Hon. O. Koskei (Nominated MCA, UDA): Noted Hon. Deputy Speaker.

Hon. Deputy Speaker (Hon. L. Rotich): Hon. Eric.

Hon. E. Kirui (Kimulot Ward, UDA): Thank you Hon. Deputy Speaker for this opportunity. I am sited here and I am here today because in the order paper, we are expecting the answers to this question and I know while you sat a while back on the same seat, we had raised an issue of various

committees today in giving responses that would otherwise change the course of our conversation. I take it with deep pain that we continue as an assembly to delay in responses on questions that have been put forth in the floor of this Assembly and these questions that I put forth are supposed to inform a certain direction on an action. There are people who are supposed to get opportunity on employment or they have been disenfranchised. The delay by the committee would further deepen the loss of opportunity for a fair hearing to those people who are disgruntled and I want to request through your leadership that we become firm on actions that are especially touching on matters of labour and employment. Those are the questions that will inform what this Assembly did in terms of oversight the Executive and the County Public Service Board.

I urge you to give firm instructions on the need to get good responses because looking at the Hon. Faces, I think they have not even been able to look at these questions.

I want you to give firm instructions so that we all know that whenever a committee has been allowed to look into a matter, they treat it with utmost respect and also with utmost urgency. Thank you. I stand guided on anything.

(Hon. W. Kiprotich rose on a point of order)

Hon. W. Kiprotich (Chepchas Ward, UDA): Thank you Hon. Speaker. I think what honorable Eric Kirui is talking about in terms of this question that was asked on the 18th of October and somebody said Justice delayed is justice denied. I have gone through these questions and I know all members have also gone through them. These are weighty and maybe the answers to these particular statements when brought to this particular Assembly were suppose even to help this county assembly to inform the Public Service Board on their recruitment exercise. Mr. Speaker I really do not know why the committees on labour have always asked for extension of time because there is no time that they have been given a statement and they answered within the stipulated period. Mr. Speaker if we are still going to delay this particular thing further, maybe the answer could have assisted during that particular time to curb some other issues. You will agree with me Mr. Speaker that we have seen in the social media which we can still say that it is some foreign material to this particular Assembly but they said where there is smoke, there is likely to be some fire somewhere. Could these particular questions and the answers have helped somewhere so that at least we can be able to help the people who elected us to this particular Assembly. Our people do not have the lee way and the capacity maybe to directly ask the public service board this. My question would be, why is it that the committee of labour always asks for extension of time. Could the member really tell this Assembly, have they really sat on it? If they have, can they supply you with minutes on what they have done because honorable Eric said he does not even know whether

the committee has sat or not because he could have been given form of information? Can you dig deeper into that particular thing Mr. Speaker.

Hon. Deputy Speaker (L. Rotich): Okay thank you honorable member. Actually this question was tabled on 18th October which the answer was due today. I do not think they have been given anything beyond 30 days because today is 14th which is 4 days to the lapse of 30 days. I believe the committee have sat. When they were asked to deal with this question, we believe that they took the initiative and started answering the question. We will be able to ascertain on Thursday if all they handled the question. Meanwhile, I will also be in a position to dig whether there are minutes.

Hon. W. Kiprotich (Chepchas Ward, UDA): Mr. Speaker if I heard the member very well, she asked for 7 days. I do not know the Thursday which you are talking about. It is only 2 days away but she asked for 7 days.

Hon. Deputy Speaker (L. Rotich): That is why honorable member I gave them an extension of 1 day because there are other more than 21 days which I think they have spent resourcefully to handle this question. An extension of 1 day is favorable enough so we need you honorable chair to serve this Assembly on Thursday afternoon with a comprehensive answer to this question. As it has been stated, it is something dealing with Human Resource which is actually a weighty matter. It is informing this Assembly on various administrative if at all injustices which may have happened so kindly expedite and serve this Assembly with a comprehensive answer on Thursday. I believe it is notable honorable chair.

Hon. O. Koskei (Nominated, UDA): Okay noted Mr. Speaker.

(Hon. J. Kipkirui rose on a point of order)

Hon. J. Kipkirui (Singoret Ward, INDEPENDENT): Mr. Speaker, the issue of the committee at hand, if I heard the vice chair Mr. Speaker rightfully, she had stated that the public service board has not supplied them with a detailed report if I got her very clearly. Mr. Speaker I want to join my colleagues in confirming that there is a very clear misconduct in the county service board of Bomet Mr. Speaker owing to the fact that the previous questions that we have given them, they will always have the answers delayed or rather would have them giving non detailed report of the questions that we asked. I think it is the responsibility if this honorable Assembly Mr. Speaker on behalf of the citizens of Bomet County to ask questions which we feel are pertinent to the progress of our county Mr. Speaker. Therefore, I think it is high time for this Assembly to consider discussing the conduct of this Public Service Board. At one point in time, I asked a question regarding the revoking of a letter of one of the ECDE teachers in my ward Mr. Speaker and up to date justice has not been served to the said individual Mr. Speaker. The letter was served but the recommendation by the public service board has not been implemented. Mr. Speaker, two weeks

ago, we invited the public service board to supply this Assembly with some of the information that we required in the vetting process of the chief officers that we were approving Mr. Speaker. What we noted is that they were not very ready to give us that information and we just proceeded and assumed that particular step. Here is a situation we are also asking for very serious and weighty matters but then if what the vice chair has stated is anything to go by Mr. Speaker that the Public Service Board has not supplied them with the information, then my question I wonder is, whom do we bale, is it now the committee or the board and if it is the board Mr. Speaker, then I think this Assembly should consider discussing in details the conduct of the county Public Service Board and the relevant recommendations we may have to undertake. Thank you honorable speaker.

(Hon. D. Kirui rose on a point of order)

Hon. D. Kirui (Ndarawetta, UDA): Going by the trend that is going on, I am a worried man Mr. Speaker because on 18th October 2023, honorable Eric asked a question in this Assembly. On 17th October, a day before, I asked a question but the Assembly business, did not include my question or answers in the order paper. Secondly Mr. Speaker, this is the second time I have asked questions that were directed to the committee on water. Every time we ask for answers, they do not present the answers to the floor Mr. Speaker. Secondly Mr. Speaker, every time I meet the CEC water, he smiles at me Mr. speaker so I do not know if he is laughing that I ask too much questions or what Mr. Speaker.

Thirdly Mr. Speaker, the questions that I asked about BOMWASCO were supposed to be used to restructure BOMWASCO as we had discussed the report that was brought by the chair PIC/PAC. So I don't know who is not serious or there is sabotage that somebody wants to bring to a standstill the businesses of this Assembly Mr. Speaker so kindly guide us on that, thank you.

Hon. Deputy Speaker (L. Rotich): Okay thank you honourable members for raising a lot of concerns on the way committees are handling questions it is not only one time that we have also been told from where I sit that every committee chair should take the work allocated to them seriously so we expect the chairs to rise up to the occasion and work diligently in their committees. With the case of the question asked by honourable Erick where I have instructed the chair to furnish this Assembly with the answer on Thursday afternoon, if at all you will be having a problem engaging with the county public service board it should appear in your recommendations and this Assembly will never lack on what to do and this honourable Assembly always has answers to all the problems. I only ask members that we endure even the toughest moments. Honourable Kiprotich raised a very good sentiment but could not sit in the Assembly to see the light of the day on the issue raised that is the endurance I ask from the honourable members.

There was also a question which was asked by honorable Rosaline Cheptoo on 21st September 2023 and the question was committed to the committee on health and sanitation, chair health and sanitation? Chair health and sanitation is not in the plenary that is another concern honourable members that we've been endowed a lot of work by the citizens of Bomet County and we need not to miss sessions in the Assembly, any member from committee on health?

Hon. D. Kirui (Ndaraweta Ward, UDA): Mr. Speaker the committee on health had a public participation at Ndanai.

Hon. Deputy Speaker (L. Rotich): Okay agreed honourable member, the chair to give a comprehensive answer to this question tomorrow afternoon. Kindly make sure that the information reaches the chair health and sanitation.

(Hon. E. Kirui rose on a point of order)

Hon. E. Kirui (Kimulot Ward, UDA): I am rising to ask, I know the answer has been given but I don't know whether you as a chair and the speaker have communication of the same Mr. Speaker because I know honourable Dancel has spoken on behalf of the health committee but I don't know whether his communication is official whether they sought leave to be absent from the floor of the Assembly today to attend the public participation. I just seek to understand that.

Hon. Deputy Speaker (L. Rotich): They never sought any leave but it is with our information that there was a public participation in Ndanai ward but I have instructed the member for health and sanitation to make sure the information reaches the chair health so that he serves this Assembly tomorrow afternoon, the answer is ready.

Hon. D. Kirui (Ndaraweta Ward, UDA): Mr. Speaker I am not in health committee but I will communicate.

Hon. Deputy Speaker (L. Rotich): Okay noted honourable member, it is the information to all of us that honourable Dancel is not a member to health but he has agreed to communicate the same message to the chair health.

Question number three which was sought by honourable Richard Ruttoh on 21st September 2023 and the question was committed to committee on administration, legal affairs and citizen engagement.

Hon. P. Langat (Merigi Ward, INDEPENDENT): Thank you Mr. Speaker I rise to respond to the statement sought by the honourable Richard Ruttoh on 21st September 2023 from the chairperson concerning the disbursement of compassionate funds under the county compassionate assistance programme. Mr. second I remember this is the second time I am responding to the question raise by honourable Richard Ruttoh on his absentia, I think he will follow my response on social media or Facebook s that he will be satisfied with this question.

Mr. Speaker the statement reads as follows; state the current composition of the county assistance committee and confirm whether the committee is operational by supplying copies of minutes of meetings held in the last financial year. Provide details of all applicants and beneficiaries of funds including the hospitals involved in the provision of healthcare services, the amount allocated to each and disbursement from July 2022 to date. Number three state the plans by the government evening to review and adjust the funding to facilitate more budgetary allocations to assist the county in managing the significant rise in cases requiring compassionate assistance within the county and lastly number four outline the strategies that the government has implemented to enable county public referral hospital to benefit more from the fund.

Mr. Speaker the committee wrote a letter on 25th September requesting the department to submit a comprehensive report on the above issues. The report was received on 16th October 2023 as here attached and the committee on its sitting on 23rd October 2023 made the following findings and recommendations that one the minutes are sufficiently attached; you can see the voluminous documents here.

The response from the CEC has attached all requests for the period in question and details of the applicants and hospitals attached to each applicant. However, the CEC did not attach companionate fund account bank statement for the period in question and acknowledgement letters from the beneficiary hospital that is Top Hill and Tenwek Hospital. The CEC member has proposed regulations detailing how county referral hospital will benefit in future from the compassionate fund, also the CEC member provided the summarized finding in the table below.

We have here Bomet central that is the compassionate fund analysis observation. Here within is sub county, we have Bomet central the amount applied that is 2021/2022 Kshs 23,550,447, Bomet east with the minimal amount applied Kshs 8,885,292, Chepalungu Kshs 26,261,923, Konoin, I think this is the sub county with the highest applicants of Ksh.28,346,273, Sotik 10,922,804. In total we have Ksh.97,966,739. Disbursed amount in 2021/2022 was Ksh.11,300,000. The budget allocated in 2021/2022 was Ksh. 20,000,000.

Deficit findings in 2021/2022 was Ksh.77,966,739. The committee therefore recommend that more budgetary allocations to the fund to at least Kshs 80,000,000 to meet the funding needs for the fund. Recommendation number two is that tool that guide the applications and vetting of applicants should be put in place to safeguard the fund from misuse of resources and in conclusion the committee on its sitting that was on 24th October 2023 found out that the response to the statement was elaborate therefore is satisfactory as attached. We have here the document or the report and we have actually gone through this report and it is very comprehensive as asked by our honourable

member from Chemaner so when he comes you will guide him on my response. Thank you Mr. Speaker.

Hon. Deputy Speaker (L. Rotich): Okay thank you honourable member for the response on the question asked by honourable Richard Ruttoh which has been answered elaborately on his absentia. He will be able to get the answer through the soft copy which I think has been posted to the platform of all the members.

ADJOURNMENT

Hon. Deputy Speaker (L. Rotich): The Assembly is adjourned to tomorrow 15th November at 9:30am. Assembly rules and business committee to meet immediately after this.

The Assembly rose at 3.55 pm