

**Second Assembly  
(N0.12)**



**Fifth Session  
(012)  
(Morning sitting)**

**REPUBLIC OF KENYA**  
**BOMET COUNTY ASSEMBLY**  
**SECOND ASSEMBLY – (FIFTH SESSION)**  
**VOTES AND PROCEEDINGS**  
**WEDNESDAY 24<sup>TH</sup> FEBRUARY, 2021 AT 9.00 A. M**

1. The Assembly assembled at 9.00 a. m
2. The proceedings were opened with prayer.

3. **MEMBERS PRESENT**

1. Hon. Nelson Mutai- Speaker
2. Hon. Kiprotich Wesley
3. Hon. Bore Winnie
4. Hon. Ngeny Leonard
5. Hon. Kirui Leonard
6. Hon. Bett Wesley
7. Hon. Maritim David
8. Hon. Chepkirui Marcella
9. Hon. Mutai Cicilia
10. Hon. Rono Robert
11. Hon. Langat C. Jane
12. Hon. Barchok Kipngetch
13. Hon. Chirchir Richard
14. Hon. Augustine Koske
15. Hon. Chepkirui Ridha
16. Hon. Chepkorir Hellen
17. Hon. Robert Langat
18. Hon. Kirui Haron
19. Hon. Korir Philip
20. Hon. Kirui Weldon
21. Hon. Serbai Robert
22. Hon. Chemutai Catherine

23. Hon. Kilel Zadock
24. Hon. Charles Langat
25. Hon. Keter Samwel
26. Hon. Cherotich Clara
27. Hon. Chepkemai Evaline
28. Hon. Kipkirui Davis

**4. MEMBERS ABSENT**

1. Hon. Mutai Vincent
2. Hon. Turgut Janet
3. Hon. Chesangi Alice
4. Hon. Chepkwony Joseah
5. Hon. Kelong Joseph
6. Hon. Kirui Josphat
7. Hon. Koech Ambrose
8. Hon. Maritim Andrew
9. Hon. Langat Alfred

**5. Statements due on 24<sup>th</sup> February, 2021 at 9.00 a.m.**

1. Comprehensive statement sought by Hon. Wesley Kiprotich on 24<sup>th</sup> November, 2020 from the Chairperson Committee on Urban Planning, Lands and Housing concerning the status of Chepchabas Community Land which was systematically, forcefully and atrociously taken away by the white settlers thereby rendering them squatters in their own land. In the statement, the chairperson was asked to;
  - i. Provide the status of implementation of the National Land Commission's ruling on 7<sup>th</sup> February, 2019 which noted that the African Highlands Produce Company (AHPC), James Finlay Kenya, needed to pay the affected residents mesne profits for utilizing their land over the years;
  - ii. State the reasons why the residents of Chepchabas were compelled to buy a section of their ancestral land edge of the LR 7797/1 to a tune of 600 acres for 214 members currently occupying Chepchabas Community while the said land was under lease and there was no development to be sold
  - iii. State why they did not apportion the aforementioned land to the community as it was in their jurisdiction
  - iv. Provide the valuation report from the government registered valuer that advised the then African Highlands Produce Company (AHPC) LTD on the price per unit around 1974 when they started collecting payments from the residents
  - v. Provide the legal framework which the then AHP LTD used to sell public utility portions included but not limited to schools, Roads, Pathways, Water springs and Riparian areas
  - vi. Explain why the then AHP ltd did not look into the basic requirement to apportion recreational parts, other land portions for public interests for community development

- vii. Explain why the portion of land sold to the residents is smaller in size compared to the agreed 612 acres when measured as per the survey provisions.

*(The Statement was committed to the Committee on Urban Planning, Lands and Housing)*

**The Committee was directed to respond within 14 days.**

2. Comprehensive Statement sought by Hon. Andrew Maritim on 4<sup>th</sup> November, 2020 from the chairperson, committee on Labour and Public Service;
- That pursuant to section 132 of the County Governments Act, 2012 what measures has Bomet County Public Service Board put in place to ensure that all permanent and Pensionable employees of the County Government belong to a pension scheme
  - How many permanent and pensionable employees are members of pension Scheme? If not, why?
  - Which pension scheme providers has the County Government engaged to provide the services?
  - How were services of the pension scheme provider for all

*(The Statement was committed to the Committee on Labour and Public Service)*

**Response deferred to Tuesday 2<sup>nd</sup> March, 2021.**

3. Comprehensive statement sought by Hon. Robert Serbai on 10<sup>th</sup> February, 2021 from the Chairperson Committee on Agriculture, Fisheries and Livestock concerning the employees of Embomos Tea Farm. In the statement, the chairperson should state:
- Why the employees in the said farm have not been paid their dues for the last three months
  - Why the said employees have not been provided with protective gear
  - Why there are no toilets/latrines to be used by the said employees while working in the farm.

*(The Statement was committed to the Committee on Agriculture, Fisheries and Livestock)*

**The Speaker directed that the vice chairperson to give status during the afternoon sitting.**

4. Comprehensive statement sought by Hon. Robert Langat on 10<sup>th</sup> November, 2020 from the chairperson Committee on Urban Planning, Lands and Housing concerning the status of Kanusin Market. In the statement, the chairperson should provide;
- The size of the land covered by the market;
  - The size of the land designated for open air market;
  - The size of the land designated for animal sale's yard;
  - The name and day of the open air market;
  - The number of plots, the owners of the plots, date of allotment and minutes of allotment; and

f) The amount of annual revenue raised by the County Government from the market  
*(The Statement was committed to the Committee on Urban Planning, Lands and Housing)*

**The committee was directed to respond within 14 days.**

## **6. MOTION (Hon. Leonard Ng'eny)**

**THAT**, aware that County health services, including, in particular refuse removal, refuse dumps and solid waste disposal is a function of the County Government as stipulated by the Constitution of Kenya, 2010; Further noting that introduction of electronic goods in Kenya has led to the generation and production of electronic waste (e-waste) of obsolete computers, phones, watches, fridges and micro waves; Aware of ecological, economic and social consequences resulting from poor handling and management of e-waste; this Assembly resolves the County Government to establish a policy and legislation on e -waste management so as to curb the dangers it causes to the environment and people.

Motion seconded by Hon. Robert Langat

Question proposed and debate arose. The following members rose to support the motion –

1. Hon. Marcella Chepkirui
2. Hon. David Maritim
3. Hon. Cicilia Mutai
4. Hon. Wedson Kirui
5. Hon. Wesley Kiprotich
6. Hon. Evaline Chepkemoi

Mover given the right of reply.

Question put and agreed to.

## **7. ADJOURNMENT**

The Assembly was adjourned to Wednesday 24<sup>th</sup>, 2021 at 2.30 p. m.

8. The Assembly rose at 10.30 a. m.