

**First Assembly
(No.098)**

REPUBLIC OF KENYA

**Fourth Session
(Morning Sitting)
(098)**



BOMET COUNTY ASSEMBLY
FIRST ASSEMBLY – (FOURTH SESSION)
VOTES AND PROCEEDINGS
WEDNESDAY 31st AUGUST, 2015 AT 9.00 AM

1. The Assembly assembled at ten minutes past nine o'clock.
2. The proceeding were opened with prayer
3. The Bell was rung for 10 minutes due to lack of quorum, then the quorum was attained shortly.

4. **MEMBERS PRESENT**

1. Hon. G.K Kipngetich- Speaker
2. Hon. Sammy Kipsiele
3. Hon. Christopher Ngeno
4. Hon. Samson Towett
5. Hon. Wilson Keter
6. Hon. Leah Kirui
7. Hon. Joyce Korir
8. Hon. Josephine Rotich
9. Hon. Julius Korir
10. Hon. Reuben Langat
11. Hon. Andrew Maritim
12. Hon. Robert Metet
13. Hon. Rose Boiyon
14. Hon. Samwel Bor
15. Hon. John Ngetich
16. Hon. Philip Korir
17. Hon. John Chepkwony
18. Hon. Benard Ngeno

19. Hon. William Mosonik
20. Hon. Taplelei Rotich
21. Hon. Siele Philip
22. Hon. Josphat Kirui
23. Hon. Leonard Kirui
24. Hon. Stephen Changmorik
25. Hon. John Molel
26. Hon. David Rotich Big Five
27. Hon. Robert Serbai
28. Hon. Sammy Chelule
29. Hon. Robert Bett
30. Hon. Patrick Chepkwony

Members Absent

1. Hon. Chepkemai Evaline
2. Hon. Beatrice Chebomui
3. Hon. Bency Too
4. Hon. Aurelia Chepkirui
5. Hon. Hellen Chepkirui
6. Hon. Nancy Chepkirui

5. NOTICE OF MOTION (Chairperson, Committee on Lands, Urban Planning, Lands and Housing)

The Vice Chairperson, Hon. Josphine Rotich, gave the following notice of motion on behalf of the Chairperson Committee on Lands, Urban Planning and Housing;

THAT, Pursuant to Section 18(6) of the National Land Commission Act 2012 and Standing Order 193(5) (f), this County Assembly adopts the report of the Committee on Lands, Housing and Urban Planning on the Vetting of Nominees for appointment to the position of the County Land Management Board laid on the table of the County Assembly on Tuesday 30th August 2016 and approves the appointment of the following nominees to the Bomet County Land Management Board;

1. Mr. Roph Joel Kipkoech;
2. Mr. Zachary Kipngetch Langat;
3. Mrs. Chepngetich Purity Sang;
4. Mrs. Chepkurui Diana Sang; and
5. Mrs. Chelangat Ann Rotich.

6. STATEMENTS

The following statements were due;

1. Statement sought by Hon. Robert Serbai on 6th July, 2016 from the Chairperson Committee on Infrastructure concerning the construction of the Embomos-Kusumek Road, Kirimose-Tergabei Bridge and Kimarwandi-Kitala road;

In the Statement, the Chairperson should state;

When the construction of the said roads and bridge shall begin given that Kitala-Meswondo-Cheptalal Road has been allocated KSh.5.7 Million fuel levy during the 2015/16 Financial year.

The statement was committed to the Committee on Committee on Infrastructure (Roads, Transport and Public Works) (No. 64)

The chairperson informed the Assembly that the CEC had responded but the Committee was yet to meet to deliberate on the response. The Hon. Speaker gave the Committee seven (7) more days.

2. Statement sought by Hon. Leonard Kirui on 26th July, 2016 from the Chairperson Committee on Budget and Appropriations concerning the expenditure of funds allocated to the community participation for the last two financial years. This is due to the fact that during the 2014/15 financial year the office of the Governor, Administration and County Executive was allocated Ksh 20M under vote 2211399 and during the 2015/2016 financial year Ksh 24,400,000 under Vote 2211399 and 30,500,000 under vote 2211399 was awarded to County Executive and County Administration respectively for purposes of community participation.

In the statement, the Chairperson should:

- a) Provide supporting documents of the events during which community participation was done including lists of attendance and where possible reports of the said events.
- b) Give the total expenditure of every including working plan and budget

The statement was committed to the Committee on Budget and Appropriation (No. 68)

The Chairperson informed the Assembly that the response was not ready as the relevant CEC had not submitted the required documents. He further informed the Assembly that the CEC had been required to submit the said documents by 31st August, 2016 and therefore requested for more time. The Hon. Speaker gave the Committee seven (7) more days.

7. MOTION (Leader of Majority)

THAT, Pursuant to Standing Order 24(2), the Thanks of the County Assembly be recorded for the exposition of Public policy contained in the Address of the Senator delivered to this County Assembly on 24th August 2016.

(Resumption of business interrupted on Tuesday 30th August 2016 at 2.30 Pm.

The motion was seconded by Hon. Samwel Bor

The question was proposed and debate arose

The following members rose to support the motion

1. Hon. Samson Towett
2. Hon. Joyce Korir
3. Hon. Josphat Kirui
4. Hon. John Ngetich
5. Hon. Taplelei Rotich
6. Hon. Benard Ngeno

The mover was given right of reply

The question was put and agreed to

8. MOTION (Hon. David Rotich Big Five)

THAT, aware that Article 232(1)(g) of the Constitution of Kenya 2010 provides for the values and principles of public service which include fair competition and merit as the basis of appointments and promotions and affording adequate and equal opportunities for appointment at all levels of the public service; also aware that the values and principles enumerated therein apply to public service in all state organs in both levels of government ;also aware that section 4(2) of the Bomet County Office of the County Attorney Act, the County Attorney shall be nominated by the Governor on such terms as the Governor may, with advice from the County Public Service Board, determine, further aware that under section (5)(1) of the Act the County Attorney amongst other functions is the Principal Legal Advisor of the County Government as well as the custodian of the County public seal, contracts and other legal instruments of the County; concerned that such functions require formal nomination, approval and appointment into the position ;aware that the County Assembly has never been called upon to approve any name for appointment as the County Attorney after the previous nominee was rejected by the County Assembly on 12th August 2015;deeply concerned that no such name of a nominee has been forwarded to the County Assembly for approval as the County Attorney as

required by law; this county Assembly now resolves that the Governor urgently nominate and forward to the County Assembly for approval, the name of the nominee for the position of County Attorney.

(The Motion was not moved due to lack of quorum)

6. ADJOURNMENT

The Assembly adjourned until **Wednesday, 31st August, 2016 at 2.30 pm.**

7. The **Assembly rose at 10.36am.**