

COUNTY ASSEMBLY OF SAMBURU



THE HANSARD

Tuesday, 26th November, 2024

The Assembly met at the County Assembly Chambers at 2:30 pm

The Speaker, (Mr. Lenamarle Stephen), in Chair

PRAYER

COMMUNICATION FROM THE CHAIR

The Speaker, (Mr. Lenamarle Stephen): Hon. Members, in accordance with section 14 (1) (b), (c) and (2) (b) (c) of The Areas and Cities Act Cap. 2075, His Excellency the Governor has forwarded the names of seven Board Members nominees for the Maralal Municipality for approval by the County Assembly, pursuant to section 18 (1) (a) of The County Government Act, 2012.

Hon. Members, in accordance with provision of section 7 (1) of The Public Appointment Act; County Assembly Approval Act, 2017; I wish to report the receipt of the notification to the County Assembly the names of the nominees as follows:

1. Mr. Andrew Lenanyokie – Appointee
2. Mr. Yusuf Isaak – Appointee
3. Mr. Pius Lobuk – Appointee
4. Mr. Nickolas Lesimale - Professional Association
5. Ms. Selina Akiru – Neighbourhood Association
6. Mr. Simon Mburu Kinyanjui – Informal Sector
7. Ms. Esther Wanjiru Kamau – Private Sector

Hon. Members, in accordance with section 8 of The Public Appointee Act; County Assembly Approval Act, 2017; the issues of consideration by the County Assembly in relation to any nomination shall be:

- a. The procedure used to arrive at the nominee including the criteria for the shortlisting of the nominees
- b. Any constitutional and statutory requirements relating to the office in question
- c. The suitability of the nominee for the appointment proposed having regard to whether the nominee's credential abilities, experience and quality meet the needs of the body to which the nomination is being met

Hon. Members, having duly received the nominations, I direct as follows:

- a. **THAT**, the office of the Clerk to verify preliminary compliance with a view of establishing and visibility and course notification for approval hearing within seven days

- b. **THAT**, pursuant to provision of Standing Orders No. 46 (1) of the County Assembly of Samburu; I hereby submit notification for nomination to the Committee on Lands, Physical Planning, Housing and Urban Development

Thank you.

PAPERS

Report on Annual Development Plan 2025/2026

Chairperson Committee on Budget and Appropriations, (Hon. Lenamparasio Phelix): Hon. Speaker, I beg to table the report on Annual Development Plan for the Financial Year 2025/2026

(Report tabled)

NOTICES OF MOTION

Chairperson Committee on Budget and Appropriations, (Hon. Lenamparasio Phelix): Hon. Speaker, pursuant to Standing Order No. 48 (1), I beg to give a notice of the following Motion:

THAT, this House debates and approves the report of the Committee on Budget and Appropriations on the Annual Development Plan for the Financial Year 2025/2026

Thank you Hon. Speaker.

The Speaker, (Mr. Lenamarle Stephen): Hon. Members it is notified that the following Statements are due for response today Tuesday 26th November 2024 at 2:30 pm Pursuant to Standing Order 45/c. Statement number 045/2024 requested by Hon. Lawrence Lorunyei MCA Nachola Ward to the Chairperson Sectoral Committee on Environment, Water and Natural Resources in regards to water projects in Nachola Ward. Hon. Lemartile you want to respond and Hon. Lorunyei is not around.

Chairperson, Committee on Environment, Water and Natural Resources: (Hon. Lemartile Francis): Yes Mr. Speaker. I think on Thursday we are here and the Hon. Member insisted that the response should be brought on Tuesday so I think the Department availed it today and I am ready to respond on it.

The Speaker, (Mr. Lenamarle Stephen): Hon. Lemartile take your seat first.

Minority Leader, (Hon. Leleruk James): Thank you Mr. Speaker. I know the Hon. Member for Nachola really wanted for this Statement to be tabled and even threatened the Committee on Water if the Committee will not provide the information an Ad Hoc Committee will be formed but I have seen the Statement and the only person who knows about his area maybe if we can read the Statement but the owner of the Statement Hon. Lorunyei is not around he is defending his thesis PHD in Nairobi so I was suggesting if we can put it on another date because if you see the response that the Department has brought it has a lot of queries and the only person who can satisfy and tell the Hon. House is the MCA of Nachola because most of the boreholes are not functioning and maybe the Hon. Member knows what he wanted when he asked for the Statement, thank you Mr. Speaker.

Specially Elected MCA, (Hon. Lenamatiyo Silapia): Thank you Mr. Speaker. I rise on the same; I think it is in order for the Hon. Member for Wamba West Ward to read the response even though the Hon. Member is not here. His absence is not a satisfactory answer for not reading the Statement when it is on the floor of the House.

Let us continue as it is because I never came across our Standing Order where when the Members sort the Statement and is not there when the response is brought I have never seen the postponing of the response. Let the Member continue reading the response and also he can share the response through the WhatsApp to the Member who inquired it, thank you.

MCA Looduk Ward, (Hon. Lenamparasio Phelix): Thank you Mr. Speaker. I think on the parliamentary procedure any report on the floor of the House and not to a Member. Now that is in the Order Paper I do not see the reason why we should not allow the Chairperson for Water to read the response. Through your guidance Mr. Speaker let us allow the Chair to read the response then the Hon. Member who asked for the Statement will have time as per the Standing Orders for Statement where he can do a follow up whatever date he will be present regarding this Statement. That is my suggestion Mr. Speaker, thank you.

The Speaker, (Mr. Lenamarle Stephen): Thank you Hon. Members. Hon. Chairman you can read the response; I know Hon. Lorunyei will be around next week and then we can do a follow up discussion, thank you.

Chairperson, Committee on Environment, Water and Natural Resources: (Hon. Lemartile Francis): Thank you Mr. Speaker for the direction. I now read the response from the Department of Water response for Statement regarding the status of Water project in Nachola Ward. “Reference is made to your request letter; Reference number SBU/CA/CK/LLA/VOL 1/027 Dated 15/10/2024 regarding the above subject matter. I am pleased to forward the attached detailed report in response to the following issues as raised in your letter;

1. Whether the Department is aware of the status of the following projects;
 - a) Losoodom borehole in Terter village.
 - b) Lomirok dairy borehole in Nachola village.
 - c) Moruakiring dam in Lonyangaten village.
 - d) Nakaarung Nakaria dam in Lokorkor village.
 - e) Natiti borehole piping to Logetei dispensary.
2. Which companies were awarded contracts, scope of the above project and whether they were paid and when

These are the two Questions sorted by the Hon. Member and response as follows, whether the department is aware of the status of the following projects Lesooto borehole in Lpetpet village Lomirok borehole Nachola village Department response is aware of the but not aware of its status. Moruo-Akirim Dam in Lonyangaben village Department response the Department is aware of the amount allocated and budgeted for the dam. Nakaria Dam in Lokorkor village Department response e) Natitii village to Logetei village and to Logetei dispensary the Department response Yes, the Department is aware of the Status of this Natitii borehole piping.

Question 2 raised by the Hon. Member which companies were awarded contracts scope of the above projects and whether they were paid and when project

- a) Project A is the short term borehole in Terter village of Department response Loituk Limited was our third block contract scope Drilling and Equipping of the borehole with solarized system, piping to the water kiosk, construction of first standard water kiosk. Dam status’s contractor after being awarded the contract and the site handing over done we commenced the drilling immediately and commenced the drilling work only and since then they abandoned the site due to insecurity but to date he has not resumed the work where the

borehole development was not done, casing not done solarization not done, construction of ancillary work not done and the contractor has not been paid for he has not accomplished the contract agreed work executed in the contract awarded.

- b) Project B Lomirock borehole in Nachola village – Department response this work is under equalization fund managed by finance Department the designed work year marked to be executed are drilling and equipping of the borehole. Constructions of the borehole protection chamber construction of water tank power and solar support structure mounted above. Pipeline from borehole to elevated tank water kiosk and trough constructions of two number roof slab water kiosk, construction of two number watering troughs, fencing area size 30M * 30M at the borehole site. The Department is not aware of its payment for the Finance Department is the procuring entity.
- c) Moruo-Akirin Dam in Lonyangalben village – Department response Kiteri Company was awarded the work under the FY 2021-2022. Budget allocated 5 million scope bush clearing, excavation 10,500 cubic metres soil volume construction of split ways and inlet channels, the contractor did, excavate the dam but before finishing scooping the excavated soil collected at the middle of the reservoir it rained and the dam was full of water thus the contractor had to stop the work awaiting the dam to be freed from any water in the reservoir, he left the site, the excavator machine that he was using on site, since then he has not returned to the site to complete the work.
- d) Project D Nakoria Dam in Lokorkor village- Department response after pursuing through our early FY Budgetary Implementation Project but the above project name was missing then the Department is not aware that Nakoria dam unless the said dam has another commonly known name.
- e) Natitii borehole piping to Logetei village and Logetei Dispensary- Department response El-malaso Company was awarded the contract to execute the works scope. Construction of 50 cubic metres capacity storage tank. Construction of communal water point, pipeline extension, re- extension of pipeline from masonry tank to the dispensary and communal water point. Project status; contractor completed the above scope of work and paid after the lapse of the project effect the liability period. Current status after project handing over and community managing its operations

f) Boreholes vandalized thus ceasing to achieve it is course. Thank you for your continued cooperation and support that you have tirelessly accorded the department. (*From the CEMC water, natural resources and energy*). Thank you Hon. Speaker, that is the response from the department and I will appreciate as a committee we will forward to the Hon. Member the response so that he will be also be aware the response given by the department. Thank you.

The Speaker, (Mr. Lenamarle Stephen): Thank you, we have the response from him so that the next week when he around, we can see if there are some projects which are incomplete which are said that thy are complete, he is going to raise the issue and we are going to give the way forward.

Specially Elected Member, (Lenamatiyio Silapia): Thank you Hon. Speaker, to appreciate Hon. Chair for water for bringing up the respond from the department, he has read and I know he would send the respond to the Member for Nachola Ward. But I am seeing the mixture for the equalizations funds and also the County government projects. I think we really have a gap on the issue of equalizations funds because I know Hon. Members in this House area not aware how an equalizations fund is being carried.

I think it is so prudent that it involve on carrying out this issue of equalizations funds. This is because I am seeing now in the same statement, we are seeing projects that are handling by the equalization funds to be brought to this House and we are aware that it is the CEMC for finance who is in charge of those funds. So I appreciate the Member but next time with your guidance let us have even a forum with the CEMC who handling the equalization funds so that the Members may know how these projects are being carried. Thank you Hon. Speaker.

The Speaker, (Mr. Lenamarle Stephen): Hon. Lenamparasio.

MCA Loosuk Ward, (Hon. Lenamparasio Phelix): Thank you Hon. Speaker, I appreciate my able for the respond from the department. Second I am so happy because the committee on rules and procedures are heading to Nakuru to do a review on our standing orders. I think God willing as we come back from recess we will be so happy because we will be having the CEMCs themselves presenting here instead of us Members.

So it has been long overdue and we thank your office and the office of the Clerk for making sure that before we go for recess, the issue of rules and procedures matters standing orders has been

taken care of. I just want to make a very broad observation regarding the same. The projects that Hon. Lorunyei asked are the projects for the financial year 2023/2024.

We are now heading to the third quarter of 2024/2025 and it is so bad that there are still projects of the financial 2023/2024 that are not complete up to now. We could have been talking for the projects on the financial year 2024/2025 right now as we are heading to the third quarter. So as much as the elected Members are following their projects from different Wards, I just want to request to this House the committee on implementations at least to be active because they are there by law to follow up the implementations of policies and budget.

I think it is prudent to have a committee that after every financial year, they know the percentage implementations of our projects across the County. So that is my prayer, maybe the Members who sat for that committee as from today henceforth, they be very active especially on the implementations of the budget and policies since that is one of the most importance document that we pass in this House.

It is very shameful that even last week I saw in a leading Television station that our County was rated at zero percentage development for the financial year 2024/2025 and we only have one quarter to finish this financial year. So in this month this year we are still asking about the projects that are supposed to be completed by last financial year, what about the projects for the year 2024/2025?

I think those ones will be asking us sorting statements in maybe next year December. I hope the Hon. Members who sit in that committee will take that very positively and then be very active. If you go to most of the Counties I Kenya, the committee that is even more funded is the implementation committee because is very vigorous, they have to go round across the County to make sure projects undertaken by various departments are complete on time. Thank you so much Ho. Speaker.

ADJOURNMENT

The Speaker, (Mr. Lenamarle Stephen): Hon. Members the time being minutes past 3 o'clock and there being no any other business, this Assembly now adjourns until Wednesday 27th November, 2024 at 9:00 a m.