

## COUNTY ASSEMBLY OF SAMBURU



### *THE HANSARD*

**Tuesday, 8<sup>th</sup> April, 2025**

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

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

### **PRAYER**

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## **COMMUNICATION FROM THE CHAIR**

### RECEIPT OF THE SAMBURU COUNTY PUBLIC SERVICE

#### BOARD MEMBERS NOMINATION

**The Speaker,** (Mr. Lenamarle Stephen): Hon. Members, in accordance with section 58 (a) (7) of The County Government Act Cap. 265, His Excellency the Governor has forwarded the names of the nominees for The County Public Service Board Members for approval by the County Assembly Pursuant to section 8 (1) (a) and section 58 (a) (9) of The County Government Act Cap. 265 through a letter dated 8<sup>th</sup> April, 2025 Reference CGS/CA/APPT/VOL.2/009/28.

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

1. Mr. Daniel Lebarleya – Member CPSB
2. Ms. Antonella Leshornai – Member CPSB

Hon. Members, in accordance with section 8 of The Public Appointments (County Assemblies 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 or 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 credentials, abilities, experience and qualities meet the needs of the body to which the nomination is being made.

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

- a) That the Office of the Clerk to verify the preliminary compliance with a view of establishing admissibility and cause notification for approval hearing within seven days.

- b) That pursuant to Standing Orders No. 55 (1) of the County Assembly of Samburu, I hereby submit notification for nomination to the Committee on Public Service and Administration, Social Welfare, Justice and Legal Affairs.

## **MOTION**

### **REPORT ON THE SAMBURU COUNTY PUBLIC SERVICE**

#### **BOARD CHAIRPERSON VETTING**

**Chairperson, Labour, Social Welfare, Justice and Legal Affairs,** (Hon. Leleruk James): Thank you Hon. Speaker.

Pursuant to the provision of The County Assembly of Samburu Standing Orders, The County Assembly of Samburu approves the Report of the Committee on Public Service and Administration, Labour, Social Welfare, Justice and Legal Affairs on vetting of one Mr. Jonathan Ntopo Lepoora to the position of Chairperson to the Samburu County Public Service Board.

Mr. Speaker I call upon Hon. Lelenkeju Jackson to second.

**MCA Wamba East Ward,** (Hon. Lelenkeju Jackson): Hon. Speaker, I second the Motion.

**The Speaker,** (Mr. Lenamarle Stephen): Hon. Members, I now Propose the Motion:

**THAT,** Pursuant to the provision of The County Assembly of Samburu Standing Orders, The County Assembly of Samburu approves the report of the committee on Public Service and Administration, Labour, Social Welfare, Justice and Legal Affairs on vetting of one Mr. Jonathan Ntopo Lepoora, to the position of chairperson to the Samburu County Public Service Board.

**Chairperson, Committee on Labour, Social Welfare, Justice and Legal Affairs,** (Hon. Leleruk James): Thank you Mr. Speaker. Section 58 (1), (2) and (3) of County Government Act 2012 Establishes the County Public Service Board

In accordance with section 58 (a) (1) of the County Government, Amendment Act, 2020, that provides that there should arise a vacancy in the County Public Service Board, The Governor

Shall nominate and, with the approval of the County Assembly, appoints the chairperson of the board.

Following the nomination of the County Public Service Board Chairperson by H.E the Governor in Accordance with Section 58 (7) of The County Governments (Amendment) Act, 2020, and pursuant to Section 8(1)(a) of the County Governments Act, 2012, the following person was nominated;

No.	Name of Nominee	Position
1	Mr. Jonathan N. Lepoora	Chairperson- Samburu County Public Service Board

The nomination of Mr. Jonathan N. Lepoora was conveyed to the speaker through a letter Ref: **CGS/CA/APPT/Vol. 2/008/28** dated **19<sup>th</sup> March, 2025** and received on the same date by the Clerk. The nominee's Curriculum Vitae and other testimonials were enclosed in the letter.

On **24<sup>th</sup> March, 2025**, and in accordance with the provision of Section 7 (1) of the Public Appointment (County Assemblies Approval) Act 2017, the Speaker reported the receipt of the notification to the County Assembly the nomination of the Chairperson of the Samburu County Public Service Board nominee. In Accordance with Section 58 (a) (1) of The County Governments (Amendment) Act, 2020, and pursuant to Section 8 (1 ) (a) of the County Governments Act, 2012 and Standing Order no. 200 (4) (f) of County Assembly of Samburu Standing Orders, the name of the nominee(Mr. Jonathan N. Lepoora) was referred to the Committee on **Public Service and Administration, Social Welfare, Justice And Legal Affairs** for vetting and reporting to the house within fourteen (14) days.

Consequently, and in accordance to Section 7 (4) of Public Appointments (County Assembly Approval) Act, 2017, the Clerk of the County Assembly placed a public notice on **27<sup>th</sup> March 2025**, inviting the public to submit memoranda by way of written statements on oath (*affidavit*) on the suitability or otherwise of the nominee in accordance with the public Appointments (County Assembly Approval) Act, 2017. The public notice indicated that the submissions were to be received by **Wednesday 2<sup>nd</sup> April 2025 at 5.00 pm.**

By close of the submission period, the committee did not receive any memoranda touching on suitability or otherwise of the nominee.

The nominee appeared before the committee as scheduled on **Thursday 3<sup>rd</sup> April, 2025** for approval hearing in accordance with the provision of the Constitution, County Government Act, 2012, Public Appointments (County Assemblies Approval) Act, 2017 and the County Assembly of Samburu Standing Orders on his suitability or otherwise for appointment to be the Chairperson of the Samburu County Public Service Board.

Pursuant to section 58 (a) (1), (2), (3) of the County Governments Act, 2020 and section 8 (1) (a), the committee observed that the nominee, **Mr. Jonathan N. Lepoora** met the integrity threshold; demonstrated knowledge of topical, administrative and technical issues touching on the position he has been nominated for; and had requisite abilities, academic qualifications and professional experience to be approved for appointment as the **Chairperson of the Samburu County Public Service Board**.

Having conducted the approval hearings for the nominee in accordance with the constitution, County government Act, 2012, Public Appointments (County Assemblies Approval) Act, 2017 and County Assembly of Samburu standing order No. 200(4) (f), the committee recommends that, this assembly;-

1. **Approves the nomination of Mr. Jonathan N. Lepoora**, for appointment as the Chairperson to the Samburu County Public Service Board by H.E the Governor;

May I take this opportunity to thank all members of the committee for their input and valuable contribution during approval, hearings and report-writing.

The committee also takes this opportunity to thank the office of the Speaker and the office of the clerk of the county assembly of Samburu for the technical support accorded to the committee during this exercise.

On behalf of the committee on Public Service and Administration, Social Welfare, Justice and Legal Affairs and pursuant to the provision of section 9 (2) of the Public Appointments (County Assemblies Approval) Act, 2017; and provision of standing order No. 200 (4) (f), it is my pleasant duty to present to the house the report of the Committee on Public Service and

Administration, Social Welfare, Justice and Legal Affairs of the approval hearing of the nominee for appointment to the position of the Chairperson of the Samburu County Public Service Board.

### **COMMITTEE MANDATE**

The committee on Public Service and Administration, Social Welfare, Justice and Legal Affairs is one of the sectoral committees established under Standing order 200(4)(f) which provides that, the committee shall vet and report on all appointments where the constitution or any law requires the county assembly to approve.

### **COMMITTEE MEMBERSHIP**

**Mr. Speaker Sir**, the committee on Public Service and Administration, Social Welfare, Justice and Legal Affairs was constituted by the House on **26<sup>th</sup> September, 2022** comprising of the following members;

- |                           |                  |
|---------------------------|------------------|
| 1. Hon. Leleruk James     | Chairperson      |
| 2. Hon. Lealmusia Ali     | Vice Chairperson |
| 3. Hon. Stacy Nareyio     | Member           |
| 4. Hon. Serah Lekirenyei  | Member           |
| 5. Hon. Jonathan Lemoosaa | Member           |
| 6. Hon. Lekuchula David   | Member           |
| 7. Hon. Stephen Kagiri    | Member           |
| 8. Hon. Janet Lenamalda   | Member           |

### **Committee Secretariat**

- |                          |                                 |
|--------------------------|---------------------------------|
| 1. Mr. Chris Lolmingani  | 1 <sup>st</sup> Committee Clerk |
| 2. Mr. Pius Lentoimaga   | 2 <sup>nd</sup> Committee Clerk |
| 3. Ms. Victoria Somoina  | Public Relations Officer        |
| 4. Mr. Leturuju Toilasy  | Legal Counsel                   |
| 5. Mr. Joseph Lesiyai    | Senior Research Officer         |
| 6. Ms. Jolina Loriakwe   | Deputy Hansard Editor           |
| 7. Mr. Benard Lenanyekie | Seargent- At-Arms               |

Mr. Speaker I think the Members have the process where we use for the Vetting of Samburu County Board Chairperson the criteria amongst others in accordance with the Public Appointments is there. I will just go direct to Committee observation and findings;

### **Committee Observations and Findings**

The committee having considered his Curriculum vitae and heard his oral submissions during the vetting exercise, the committee made the following observations:-

1. He holds a Master's of Science in Human Nutrition and A Bachelor's Degree in Arts from University of Nairobi.
2. He has a wealth of over 35 years professional experience working with reputable international NGOs, a devoted member of several bodies including schools, conservancies and churches.
3. The nominee has never been charged in a court of law, has no potential conflict of interest, and has fully complied with his tax obligation.
4. He has never been dismissed from office due to contravention of provision of Article 75 of the constitution, which deals with conduct of state officers that are adversely mentioned in any investigatory report of County Assembly or parliament or any commission of inquiry.
5. The committee found the nominee suitable for appointment as the Chairperson of the Samburu County Public Service Board.

### **Committees' Recommendations**

Having conducted approval hearings for the nominee Pursuant to Article 179 (2) (b) of the constitution of Kenya, section 7 of the Public Appointments (County Assemblies Approval) Act, 2017 and County Assembly of Samburu Standing Orders No. 193 (4), the committee recommends that the assembly:-

1. **Approves** the nomination of **Mr. Jonathan N. Lepoora** for appointment as **the Chairperson** of the Samburu County Public Service Board.

**MCA Wamba West Ward,** (Hon. Lemartile Francis): Thank you Hon. Speaker. First, may I congratulate the Committee of the Legal Affairs for the good work they have done. And the nominee Jonathan Lepoora, he is from my village, ward. He has been a great leader to the people. What the Committee submitted is true, Jonathan Lepoora has a wealth of experience especially dealing on Human resource. And I see him being given the opportunity will be a big asset to Samburu County and will transform the services delivery to the people of Samburu.

I support the nominee for the position and I request Hon. House to support because as per his CV he has been working with international NGOs since 1996. So, he has a wealth of experience of over 30 years. Thank you, I support.

**MCA Nachola Ward,** (Hon. Lorunyei Lawrence): Thank you, Hon. Speaker for giving me this opportunity to bring my concern on the nominee. While I congratulate the Chairperson, the Committee and the rest I have got a concern. We cannot narrow ourselves to just listen to my ward, my household, my family, my community. We must go abroad and look at the Constitution. According to the Constitution Article 10 whereby there is inclusion, I don't see any there. Because when I see from the Chairman to the members they are from my ward, family, community. I do not see any diversity.

When you go to the Article in the Constitution 232(h), it says about diversity. I do not see it in the service board and that is why it is of my concern. We must follow the Constitution. It is unconstitutional because there is no that cohesion, inclusiveness, diversity. Yes, the nominee has all the criteria needed. If me, my wife, son and daughter have the criteria will I be qualified?

**MCA Wamba East Ward,** (Hon. Lelengeju Jackson): Thank you for this opportunity. I rise on a relevant point of order. It is simple here; we are dealing with one member and there is no way we will have two Chairmen in the County Service Board and in any way this member must come from a particular ward and must be in any way related to one member one way or another.

We are dealing with one member I do not see the reason of diverting saying representation because he belongs to some ethnic group. In this case we are dealing with one member who happens to be Jonathan Lepoora for this time.

**MCA Nachola Ward,** (Hon. Lorunyei Lawrence): Mr. Speaker that is why I said that we do not have to narrow ourselves to a village, household, community because in any employment there



must be a diversity according to the constitution. That is 232 (h) in the Constitution; it must be inclusivity Article 10 of the constitution. And again, according to the County Government Act 68, either can be allowed to read.

Promotion of equity by the County Public Service Board;

- a. Each County Service Board shall promote equal opportunities in the County Service Board and shall establish and implement strategies for the elimination of any form of designation, on the bases of ethnicity, gender, religion, health, marital status and stability.

We must follow the Constitution. Not technical advice like saying that, we are dealing with one person. We are going to see that in that office. That is why in my concern I say I oppose the nominee. And ask my Hon. Members if they want the cohesion, inclusivity and at least if they want the diversity?

I came from another community. Kagiri here comes from another community and the Constitution serves all of us. That is why it says at least 30% is from other communities. If I can go to the Government Acts Article 68 (4) whereby it says that, in the meeting of requirement under subsection (1)

The County Service Board shall not deviate from the provision of Article 232 (h) of the Constitution. Whereby, I say that there must be diversity. Let us all build cohesion inclusivity and adversity. I urge my Hon. Members to consider about the 30% of other from the dominant communities.

**MCA Nyiro Ward**, (Hon. Lemoosa Jonathan): Thank you Mr. Speaker. The suitability of the candidate as per the requirement that is actually in the constitution I wish to bring the attention of the House that His Excellency the Governor did forward the nominee of by section 58 sub article 1 and 2 and 3 of the County Government Act 2012 that establishes the County Public Service Board. That is the power that is based on His Excellency now the other issue that I want to bring forth is actually County Public Service Board has 7 commissioners and today we are only dealing with one particular commissioner and that is the vacancy of the chairman.

There is only one thus we still have a role to vet other six it is not enough to say maybe it is bias it is not actually considering other factors and I just want to say there is nothing wrong when a

Member actually because each and every one of us has to come from a particular village. We represent the people and I want to believe Hon. Lemartile in due respect was not actually personal nor actually tribal or clanic all what he said that he just wanted to affirm the credibility of the nominee that of course he knows him, and from the experience what we found out he has 35 years serving the public quite a boost in experience and especially in Human resource so I want to believe that of course we should be patient because the Public Service Board just as I have said before has 7 commissioners. We are only dealing with one slot or one vacancy of the chairperson we will see whether it will balance the gender and other requirement, thank you.

*(Point of Order from Hon. Lorunyei)*

**MCA Nachola Ward,** (Hon. Lorunyei Lawrence): Mr. I am not talking about the credibility of the credentials of the candidate I am talking about the constitutionality of the threshold of the recruitment of the Members of the Public Service Board. I am not against or objecting the credentials of the nominee I was talking about that, let us broaden ourselves that is it constitutional that only one community 100% will take the offices but anticipating about other things we are discussing what is on the floor of the House now Mr. Speaker.

**MCA Nyiro Ward,** (Hon. Lemoosa Jonathan): Mr. Speaker I just want to clear up with the I could say maybe the respect that the Order but of course (laughs) the Hon. Member Lawrence actually seems to be ahead of his time, here he says of course I am not anticipating whereas he is anticipating in the sense that we are only dealing with one chairman one nominee for the commissioner of the Public Service Board. What is the comparison? Because what we are given is only the nominee for the chair I doubt how many others if actually we are not anticipating are in this particular order today it is just one.

That is why I want to say the Hon. Lawrence is ahead and actually anticipating ours is simple we vet, see the requirements as per the County Act 2012 we also see the appointment authority section 58/7 when we put this together and the candidate is suitable I do not know where else do we bring issues like we are not fair we are tribal, it is actually gender based and we have one nominee in front of us today. Unless actually the information that I have is different from what I have from the House, thank you.

**Specially Elected MCA,** (Hon. Lekirenyei Sarah): Asante Bw. Spika pia mimi ningependa kuchukua nafasi hii kushukuru kamati kwa kazi nzuri ambayo walifanya na nikiwa mmoja wa kamati hiyo, Kaunti yetu ya Samburu tumechukua muda mrefu bila kuwa na Mwenyekiti wa Public Service Board. Ndio maana tuko sasa kushughulikia, wakati advertisement ilipofanyika ni huru kwa kila mwananchi Nchi kujisajili. Kwa hivyo pia yeye alijisajili n awengine wengi pia waliweza kujisajili n atulipoketi chini kama kamati kufanya vetting tulionelea kuwa yeye ni mmoja ambaye anatosha. Tulisikia amefany amambo ,mengi huko nje na pia sisi tunahitaji wale ambao watasaidia wananchi hapa Samburu na kuweza kufanya yale ambayo yanafaa. Kwa hivyo Bw. Spika mimi ningempongeza ama ningesupport apate hiyo nafasi aweze kusaidia wananchi wetu asante.

**MCA, Lodokejek Ward,** (Hon. Lekuchula David): Thank you Hon. Speaker. I rise to join my colleagues to support the nomination of Jonathan Lepoora as the Chairperson of the County Public Service Board of Samburu County. Lepoora is qualified and suitable for the position. Thank Hon. Speaker.

**Specially Elected Member,** (Hon. Lenyakopiro Charity): Thank Hon. Speaker. I rise to support. Jonathan Lepoora was vetted and he qualified through this process and I urge my fellow Members to support because it is not a matter of community, wards or anybody else, it is a matter of this nominee. Thank you Hon. Speaker.

**Specially Elected Member,** (Hon. Stacy Nareyo): Thank you Hon. Speaker, I also rise to the nominee as one of the Member for the labour committee and I want to appreciate the concern of the Hon. Member, Hon. Lorunyei about inclusivity, the process is supposed to be inclusive but our job is only to vet. I also want to assure the Member that the membership of the labor committee is very diverse, we have someone from a different community, and we also have youth representative.

So we also highlighted those issues while we are vetting the nominee and he gave us an surety that when he is going to recruiting people as the Chairman of the County Service Board Chair, he is going to be inclusive and he is going also to include people from other communities. So I just want assure him that we have asked all those questions and I believe he is going to address those issues. Thank you.

**MCA Nachola Ward**, (Hon. Lorunyei Lawrence): I had a communication from the community because of this concern. If I am defeated here we go to the court. We must deliberate here nicely. I am here to represent my people, taking here what we are deliberating here to my people and bring what my people are saying to this Hon. House.

**Specially Elected MCA**, (Hon. Lenamatiyio Silapia): Thank you Hon. Speaker, I also stand to support this Report as it is. Basically, when you look at the suitability of the nominee, he was qualified with the entire basis, the academic qualifications, employment records, personal evaluation and overall suitability for the job. I just have one concern, I think the Hon. Member for Nachola Ward have observed the nominee for the Chairman, also the two Members who were put today on the noticeboard and another board that has been formed in this County. I think that is the case he is bringing out to be also considered.

Same applies to me, I think other wards are not out of Samburu County that can be considered when these boards are formed that can be considered generally. I support this but let also other people from other wards feel that they are in Samburu County by giving them those positions to serve. Thank you Hon. Speaker.

**MCA Suguta Marmar Ward**, (Hon. Leleruk James): Thank you Mr. Speaker. I just stand to thank the Hon. Members and also to ask our senior the Hon. Lorunyei is that the issue that we are dealing here is just one individual and the issue of employment inclusion.

I think maybe in terms of employment that is the time we can say that this community has been put aside and if this Report passes without the approval of Member and telling us that he will go to court, on the issue of court. I do not know because we just received on individual from His Excellency the Governor and he is the appointee authority.

We are just vetting only what the governor has brought to this Hon. House. I urge the Hon. Members because we have been without the Chairman for a very long time and I do not think the Chairman will prevent other communities or any other interested groups any job required. As an Assembly we are representing the people of Samburu County. We have seen the qualifications and the experience of the board Chair. I think as a County we are blessed to have Jonathan Lepoora as the County Public Service Board Chair. I urge all Hon. Members to pass this nominee.

**The Speaker,** (Mr. Lenamarle Stephen): Hon. Members I now put the question that pursuant to the provision of Samburu County standing orders, the County Assembly of Samburu approves the reports on public service administrations, social welfare justice and legal affairs on the vetting of Mr. Jonathan Lepoora to the position to the Chairperson Samburu County Public Service Board.

*(The question was put and Motion passed)*

## **ADJOURNMENT**

Hon. Members, the time being 24 minutes to 4 o'clock and there being no any other business, this Assembly now adjourns until Wednesday, 9<sup>th</sup> April, 2025 at 9:30 am