

BARINGO COUNTY ASSEMBLY

THE HANSARD

The House met on Thursday 1st April 2021 at 2:44 PM

The Deputy Speaker (Hon. Cheboiwo) in Chair

PRAYERS

The Deputy Speaker (Hon. Cheboiwo): Okay welcome Members to our afternoon session this Thursday, Clerk.

STATEMENTS

INCOMPLETION IN CONSTRUCTION OF MARIMBO BELL-KORKOR-KOTUNOI ROAD

The Deputy Speaker (Hon. Cheboiwo): Okay we have statement No. 002 Of 2021 by Hon. John Tarus to the Chair Transport and public works. Chair Transport and public works.

(Loud Consultations)

Who is the Vice Chair or any Member of that Committee of Transport?

(Long silence)

Okay the Majority Leader.

(Hon. Leparsalaach stands on behalf of the Majority Leader)

Hon. Leparsalaach: Thank you so much Mr. Speaker sir, I stand as a Member of this committee to represent my Chair and give a statement that was sought by Hon. John Tarus. The first statement that he wanted to know is;

1. If we are aware that in the financial year 2018/2019 Kshs 1.5 Million was allocated for construction of Marimbo bell-Korkor-Kotunoi road? And the answer is; yes we are aware. The department through public participation was allocated Kshs 1.5 Million under the 2018/2019 financial year budget.
2. If we are further aware that a contractor was awarded a tender for the said road abandoned since July 2020. And the answer is; we are aware tendering of the project had been done and M/S Kimbisa Agencies awarded. The supplier mobilized to site and started dozer works, challenges occasioned by heavy rains and machine breakdown made the supplier to stop around July 2020. The supplier has today 17th March 2021 sent spare parts required and mechanics to repair the dozer and thereafter complete the work.
3. How much money was paid to the contractor who abandoned the site without completing the work? The contractor has not been paid any money to date.
4. What were the timelines agreed with the said contractor? The period of works agreed in this contract is 16 weeks. The commencement date of was 11th June, 2020 and completion date 12th October, 2020. Due to the challenges above the contractor requested for contract extension and was granted.
5. What plans does the County Government have in place to ensure that the road project is completed? The supplier has re-mobilised to site and currently repairing the dozer, he shall

then execute the dozer hours remaining to complete the contract. The office is liaising with the supplier and monitoring to ensure the works is done properly and to completion as soon as possible. Thank you Mr. Speaker.

The Deputy Speaker (Hon. Cheboiwo): Hon. Tarus was the owner of the question.

Hon. Tarus: Okay thank Mr. Speaker. This question I want to thank the Hon. Leparsalaach for bringing the question on behalf of the Government but Mr. Speaker as it has been mentioned that the agreed time and that is in question 4, the period of works agreed in this contract is 16 weeks. The commencement date is 11th June 2020 and the completion date is 12th October 2020 and it is due to the challenges above.

Mr. Speaker I don't know this kind of extensions seem to be done anyhow. I don't know the kind of agreements the department makes with the contractors because I presume that an extension has to be made then there should be a duration which it should not exceed because if we say the contract period was supposed to end on 12th October 2020 then if an extension was to me made then it should not be more than two months Mr. Speaker because that road has not been completed to date and we are in April 2021.

That is close to a year since the contract was awarded and I think Mr. Speaker as much as the Hon. Deputy Majority Leader has provided the answer but still this House being an oversight House against the executive, we should actually come up with a duration in which the extension of time for a contract to be done should not exceed because actually this County Government is taking us for a ride Mr. Speaker and I think the question is answered correctly but I am having issues with those extensions because extension should not go beyond two months if he or she is a serious contractor. Otherwise Mr. Speaker thank you for allowing me to react on this particular statement, thank you.

(Hon. Kipsang stands in his place)

The Deputy Speaker (Hon. Cheboiwo): Okay Hon. Elizabeth what is it?

Hon. Kipsang: Okay Mr. Speaker I rise on a point of concern because the contractor was given 16 weeks and in a contract you are supposed to agree with the terms that you are given Mr. Speaker and it is so mischievous that 5 months down the line after the deadline the contract was given which was supposed to be in October Mr. Speaker and it is only up to the 17th of March that the contractor come to his or her sense and tried to send spare parts. Does this make sense?

Mr. Speaker if the contractor knew that the dozer was not in order, why did he or she wait until March this year which is 5 months down the line then he pretends that he is sending spare parts to the site Mr. Speaker? So Mr. Speaker if I was the person who asked this question I would have rejected this because it does not make any sense and these people are just cooking stories.

If we go in this trend Mr. Speaker those people who are implementing Mr. Speaker will only wait until a question is asked then they can wake up and decide to call the contractor Mr. Speaker. So Mr. Speaker it is a wake-up call for all the elected Members to make serious follow up in their contracts. Otherwise Mr. Speaker this is so mischievous, thank you.

The Deputy Speaker (Hon. Cheboiwo): Okay thank you, Hon. Francisah.

Hon. Francisah Cheburet: Thank Hon. Speaker I am a Member of the committee on transport and I wish to give some information that Hon. Leparsalaach is one of us. The person who raised this statement thinks that the same was responded by the Government but I think Hon.

Leparsaalach came as a Member of transport committee and so he was give the answer on behalf of our Chair.

The other issue is that I wanted to correct my colleague. The contractor normally picks the contract but then the supplier of the spare parts is a different person. So it is not the same person and according to her statement she noted that how can the contractor wait until 17th of March for him to supply the spare parts? They are two different people, the supplier supply differently and the contractor who picked the contract is a different person all together, thank you Hon. Speaker.

The Deputy Speaker (Hon. Cheboiwo): Thank you Hon. Franciscah for making that clarification. Hon. Ngotie the MCA for Ravine Ward.

Hon. Ngotie: Thank you Mr. Speaker sir for giving me this opportunity although it is a statement but it is of interest to all of us Mr. Speaker and I think you should give directions concerning this answers especially on the timelines that okay we agreed that there was a problem of spare parts and so forth but at least if the department went that far to liaise with the supplier of the spares then they should also give us the timelines on when they think they are going to complete that road because we are in the same problem all of us and I think we should join hands and you give direction that they give us the proper answers on timelines when this project will be completed, thank you.

The Deputy Speaker (Hon. Cheboiwo): Okay the Chair Transport can you clear the air on queries which has been raised by the Members. Hon. Leparsalaach you can hand over to the Chair or do it yourself.

Hon. Leparsalaach: Thank you so much Mr. Speaker sir. I totally agree with the sentiments expressed by the Members that in many occasions that contractors abandon projects half way and we should actually have a clearly defined time of extension and I think it is governed by law. It should not be a third of the total contract time for instance now if this one the contract time was 16 weeks, the extension should not be more than a third of that time and that means it should not exceed 5 weeks.

So we should clearly adhere to that but sometimes we are humans. A contractor is a human being like any of us. Machines fail from time to time and the suppliers of course you know the challenges we get from the suppliers and these are our people and electorates. In fact I am sure the contractor who did this work might be a voter for Hon. Ngotie or a voter from any ward here. I am not actually defending them but I am saying that sometimes we should understand. However, Members and Hon. Speaker we will actually be very strict as a committee to make sure that whatever contract has been awarded has to be completed within the specified period, thank you Mr. Speaker.

The Deputy Speaker (Hon. Cheboiwo): Okay to wind up that let us rest that matter there and Hon. Tarus to wait and see whether the answers will be worked on and also the committee through the department should also make a follow up to see to it that the said work has been done, next order!

MOTION

REPORT ON INTE-COUNTIES MOU ON COOPERATION FOR PEACE AND DEVELOPMENT (CPD)

The Deputy Speaker (Hon. Cheboiwo): Okay we have here a Motion on the adoption of the report of the Justice, Legal Affairs, Devolution, Governance and Cohesion Committee on the

ratification of the Memorandum of Understanding between the Baringo, Isiolo, Laikipia and Samburu Counties on the Cooperation for Peace and Development (CPD), so the Chair Justice.

(Hon. Cheserem stands on behalf of Hon. Koske)

Hon Cheserem: thank you Mr. Speaker sir for this opportunity I beg to move the motion that this House adopts the report of justice, legal affairs devolution, governance and cohesion committee on the ratification of the memorandum of understanding between Baringo, Isiolo Laikipia and Samburu counties on the cooperation for peace and development.

Mr. Speaker Sir, on behalf of the Committee on Justice, Legal Affairs, Devolution, Governance and Cohesion it is my pleasure, privilege and duty to present to this House, the Committee's report on the Ratification of the Memorandum of Understanding between Baringo, Isiolo, Laikipia and Samburu Counties on the Cooperation for Peace and Development (CPD) pursuant to the Committee's mandate spelt out in Standing Order no.196 (5) read together with the third schedule of the same statute.

Mr. Speaker Sir, the Committee wishes to sincerely thank the offices of the Hon. Speaker and the Clerk for their support extended to it in the execution of its mandate. The Committee extends its gratitude to the three other member Counties namely Isiolo, Laikipia and Samburu for agreeing to walk together in order to achieve the desires of their Constituents.

Mr. Speaker Sir, allow me also to thank the CECM for Finance and Economic Planning who undertook to sensitize and inform the Committee on the MOU before it proceeded to write its report. Mr. Speaker Sir, the Committee also wishes to thank the Secretariat for their immense contribution towards the production of this report.

Finally Mr. Speaker Sir, I take this opportunity to thank all the Members of the Committee for their profound contribution through dedication of their time and effort towards realization of the Committee mandate.

Mr. Speaker Sir, this report was informed by the tabling of the Memorandum of understanding between Baringo, Isiolo, Laikipia and Samburu Counties on the Cooperation for Peace and Development (CPD) formerly the Amaya Triangle, on the 27th day of October 2020 and its subsequent Commitment to the Committee on Justice and Legal Affairs, Devolution, Governance and Cohesion. The Committee in pursuit of article 185 (1) of Kenya, Standing Order 196 (5) of Baringo County Assembly, read together with third schedule, undertook to Consider the memorandum in a bid to report back to this Honourable House. Mr. Speaker Sir, the Committee is cognizant of the fact that the memorandum of understanding (MOU) was signed in 2019 and there is need to fast track its ratification and implementation for it will promote meaningful and sustainable Development and Peace among the four neighbouring Counties.

Mr. Speaker Sir, the Committee was able to attend a consultative meeting in Kisumu on 24th and 25th March, 2021 in Kisumu with the CECM for the department of Finance and Economic Planning and other partners who took time to sensitize the Committee on the Memorandum so as to deepen their understanding of the document. The members were informed that the AMAYA Triangle Initiative was renamed Cooperation for Peace and Development (CPD), after consultations among the member Counties.

Mr. Speaker Sir, the CECM informed the Committee that the initiative had been funded by Kenyan Government through Rift Valley Water Service Board to construct a mega multi-purpose dam to be known as Amaya dam in Tiaty sub County to a tune of Kshs. 70 Billion and through the Northern Range Lands (NRT), the European Union (EU) has also granted each of the four member Counties Kshs. 36,000,000 to implement cross cutting projects within the Amaya land scape. For Baringo County Mr. Speaker Sir, the funds have been directed to fund the Excavation & Construction of three 25,000m³ water pans in Baringo County, one in Kapturo S/location in Bartabwa Ward another in Barketiew S/Location in Saimo Soi Ward and Tangelbei- Mukutani Wards at a cost of Kshs. 10,054,400 each with the Expansion and construction of Embosos irrigation scheme in Baringo South to cost Kshs. 4,520,832.

Mr. Speaker Sir, the donor also supported the development and legislation of the County Rangeland Management Policy and Conservation Bill in Baringo County with Kshs. 3,715,840.

Mr. Speaker Sir, other partners in support of the initiative include; the Northern Range land Trust (NRT), Jomo Kenyatta University Agriculture and Technology (JKUAT), ICRAFT and Entrepreneurship for Impact.

Mr. Speaker Sir, the initiative encourages that the four Counties establish and align their objectives in their budgets hence create a fund for the CPD as the development partners top-up. Mr. Speaker Sir, the CECM informed the members that there were several changes that had been effected.

- i. There was change of name from AMAYA Triangle Initiative to Cooperation for Peace and Development (CPD). Mr. Speaker this was a contentious issue which has taken us a long time but we finally changed the name
- ii. There was a clear definition on the legal status for the initiative
- iii. The MOU would still be amended when need be. The other time there was no room for amendment but we have given room when need arises

Mr. Speaker, the Committee noted that Samburu County had not yet signed the document but the CECM were informed the members that during a recent meeting held in Isiolo, the Samburu County Government promised to dispense it at the earliest opportunity possible. Mr. Speaker Sir, the members agreed that the County Assembly need specific Programmes linked to the initiative during budgeting and oversight

The members were also informed that the initiative had several agendas it aims to implement moving forward as listed hereunder:

Have a connecting road around the four counties -900km-quarter of it not tarmacked to enhance trade.

Maximize on airport in Isiolo for trade.

Open up abattoirs in all Member Counties

Brand;

Improve education system and make schools accessible especially in the volatile areas of Tiaty, Baringo North and Baringo South where insecurity is high

Improve standards of TVETS and impact them on life skills;

The four counties are branded as Tourism destinations as the region has unique animal species and enhanced security.

Mr. Speaker Sir, after the 2 day sensitization meeting with the CECM for Finance and Economic Planning, the committee embarked to write this report on the document.

Objectives of the report Mr. Speaker Sir, this report is in pursuit of the following objectives;

1. To inquire into the matter bringing into consideration the views of all the stakeholders.
2. Study the objectives of the MOU and the effectiveness of its implementation.
3. To generate a report to be debated and its recommendations adopted in the House in a bid to ratify the Memorandum of Understanding (MOU).

3.0 The Memorandum;

Mr. Speaker Sir, the County Governments were created under Article 176 of the Constitution of Kenya, 2010. Pursuant to Article 189 (2) of the Constitution, the Government at each level, and different Governments at the County level, shall cooperate in the performance of functions and exercise of powers and, for that purpose, may set up joint committees and joint authorities.

It is under this provision and driven by the perennial escalation of general insecurity in the four Counties of Baringo, Isiolo, Laikipia and Samburu, as well as to achieve meaningful social economic development through political goodwill, respect for and adherence to the rule of law and strict enforcement thereof that the Contracting Parties through the MOU, agreed to establish the 'Cooperation for Peace and Development' (CPD).

Mr. Speaker Sir, 'Cooperation for Peace and Development' (CPD) is in the process of being established as an entity, a body corporate which can sue or be sued, enter into contract and with perpetual succession.

Mr. Speaker Sir, the proposed headquarters for the Cooperation for Peace and Development (CPD) shall be at Nanyuki within Laikipia County or such place as the Contracting Parties may determine from time to time.

Mr. Speaker Sir, the broad objectives and common agenda of the CPD shall be to:

1. To Facilitate Economic Growth through the establishment of a revolving fund to increase economic growth within the region through funding of Programmes and projects that enhance improved production of goods, increased activity in agri-business and agro-processing and service delivery
2. To Promote Commercial off-take of Livestock –The CPD shall develop a commercial off-take programme that will be co-funded by the respective County departments of Agriculture and Livestock, Finance and Economic Planning, Kenya Meat Commission (KMC) and National Drought and Management Authority (NDMA)
3. Feedlot and fodder production programme within the region to modernize the agro-pastoralism economy within the region
4. To Foster technical skills development –The CPD will design programme aimed at ensuring the full operationalization and technical and vocational Training Colleges, promotion of technical skills and knowledge amongst member Counties, the joint development of relevant course and job creation opportunities in partnership with key

industry players within the region and attainment of universal literacy among the residents of member Counties.

5. Trade and investment promotion –The CPD will consolidate its investment opportunities with particular focus on those sectors spanning across the region with a view to avoid replication of efforts on a small scale within the territories of the member Counties.
6. Joint infrastructure development – The CPD shall priorities the upgrading of facilities and development of infrastructure and security assurance for the Northern Tourism circuit, and open up new routes to inter-connect these four Counties for purpose of promoting trade and investment within the region.
7. Water and resource management –The CPD is committed to the development of a collective water Master plan for the region to ensure effective coordination of water and resource management, water towers conservation, harvesting and utilization of water resource for benefit of upstream and downstream citizens.
8. Enhanced security- The CPD shall collaborate and efforts amongst the member Counties to lunch and operationalize their respective County Policy Authorities (CPA) for effective coordination of security management in partnership with local stake holders and National Government Security Agencies

Mr. Speaker sir, the secretariat may further develop the common agenda subject to approval by the Governing Council.

Strategic pillars;

Mr. Speaker Sir, the pillars that will form the core focus of the collaboration and integration are:

1. Livestock and Agriculture Management
2. Trade, Industry and Tourism Promotion
3. Infrastructure Development
4. Water and Resource Management

The enabling pillars to support the attainment of the four strategic pillars are

Finance and Economic planning, Universal healthcare, Education and skills development and Security.

Mr. Speaker Sir, the contacting parties, have undertaken to;

1. Recognize the impracticability of providing for every contingency which may arise during or after the life of the MOU and thereby agree to operate fairly and without detriment to the interests of either party.
2. Develop adequate measures to promote the achievement of the objectives of the CPD, and shall refrain from taking any measure that may jeopardize the sustenance and achievement of the objectives and the implementation of the MOU.
3. The CPD shall not discriminate against any member County.
4. Member Counties shall take all necessary steps to ensure the uniform application of the MOU.

And finally Mr. Speaker Sir, the Member Counties shall cooperate with and assist institutions of the CPD the performance of its duties.

Membership and admission of members;

Mr. Speaker Sir, the Counties listed in the preamble of the MOU shall, upon signing and ratifying the MOU, be members of the CPD. Any other County not listed therein may become a member of the CPD upon being admitted by the existing members and executing an addendum to the MOU.

Mr. Speaker Sir, upon application by any new member, the Secretariat shall receive and forward the application to the Governing Council, which will subsequently admit the application by a unanimous decision.

Establishment of institutions;

Mr. Speaker Sir, the institutions that are established are;

1. The Governing Council—the council shall consist of the Governors of all member Counties, and shall be the supreme policy making organ of the CPD.
2. County Assemblies Summit (CAS) – the County Assembly summit (CAS) shall consist of members of County Assemblies of the member Counties and it shall provide a forum to discuss, input and endorse the initiatives presented by the governing council and shall provide strategic advice to the council to ensure the initiatives generate the desired impact. The resolutions of this summit will form agenda that the respective assemblies will implement by way of resolutions, policy, budget, laws and regulations to enable achievement of CPD's objectives.
3. The Secretariat –the secretariat shall be the principal executive organ of the CPD. It shall be headed by the Chief executive Officer who shall be assisted by three Deputy Executive Officers. This organ shall have such other staff as may be determined by the Governing Council from time to time, the secretariat shall be responsible for administrative and managerial roles of the CPD.
4. The Chief Executive Officer - the Chief Executive and Deputy Executive officers shall be appointed by the governing council and have to heading a department in charge of peace in any of the member counties. Mr. Speaker Sir, the committee proposes an amendment to article XII Sub article 1 of the MOU to pave way for competitive sourcing of the CEO and the deputies.
5. The Sector Committees - the sector committees shall consist of County Executive Members for the respective sectors from each member County and shall be appointed as Chairpersons for a period of 2 years.

Mr. Speaker sir, notwithstanding the above institutions which the MOU has already established, other institutions may be established when necessary.

Sector committees;

Mr. Speaker Sir, there shall be a Sector Committee for each pillar and each enabling pillar. The Chairpersons of the Sector Committee for the core pillars shall be appointed for two (2) year term with the initial Chairpersons being appointed as follows;

1. Livestock and Agriculture Management- Baringo County
2. Trade, Industry and Tourism Promotion- Samburu County
3. Infrastructure Development- Laikipia County
4. Water and Resource Management- Isiolo County

Funds;

Mr. Speaker Sir, the funds of CPD shall consist of;

1. Contributions of Member Counties
2. Income from the CPD's enterprises and activities
3. Receipts from third parties including grants and donations

Development funds;

Mr. Speaker Sir, There shall be a special fund of the CPD to be known as the coordination on Peace and Development Fund (the CPD Development Fund'' or the fund'') in which shall be accounted receipts and expenditure of the CPD relating to its development and implementation of its agendas.

Assets;

Mr. Speaker Sir, the property, both moveable and immovable, acquired by and on behalf of the CPD shall constitute the assets of the CPD, irrespective of their location. Property acquired by member Counties under auspices of the CPD shall be accessible to all member Counties on an equitable basis.

Amendment of the MOU;

Mr. Speaker Sir, the amendment of this MOU shall by a unanimous decision of all the members of the Governing Council. A proposal for the amendment of the MOU may be made to the Chief Executive by any Member County for the preliminary consideration of the Secretariat and submission to the Governing Council.

Entry into force;

Mr. Speaker Sir, this MOU shall come into effect upon signature by all two thirds of County Governments listed in the Preamble provided that it shall only be binding to only the Counties which execute and its interpretation shall be construed as such. This MOU shall remain effective and binding upon the Contracting Parties until the execution of an implementing agreement has been executed by the contracting parties i.e. the Member Counties as a replacement of this MOU or the dissolution of the CPD.

Observations;

Mr. Speaker Sir, the Committee made the following observations;

1. That CPD will bolster peace and development in the region for the benefit of residents of the four member Counties.
2. The CPD will also develop a commercial off-take programme for livestock from the four Counties which will be co-funded by respective County department of Agriculture and Livestock, Finance and Economic Planning, Kenya Meat Commission and the National Drought and Management Authority. This will ensure that livestock farmers get market for their livestock.
4. The CPD shall collaborate and coordinate efforts amongst the member Counties to launch and operationalize their respective County Policing Authorities for effective coordination of security management in partnership with local stakeholders and National Government Security Agencies.
5. The County Assemblies Summit (CAS) shall consist of members of County Assemblies and shall provide a forum to discuss, input and endorse the initiatives presented by the Governing Council, and shall provide strategic advice to the Council to ensure the initiative generate the desired impact.
6. That the implementation of the CPD will in the long run bring lasting peace and security in the Banditry prone areas bordering all the four sub-counties and particularly along Tiaty, Baringo South and Baringo North sub-counties in Baringo County.

Committee general recommendations

1. THAT, article XII sub-article 1 of the MOU be amended to pave way for competitive sourcing of the CPD Secretariat including Chief Executive Officer and the Deputies.
2. THAT, article XIII sub-article 4 and 5 of the MOU be amended by extending the tenure of office for Chairpersons and their deputies from 2 years to 3years.
3. THAT, Baringo County Government in its Annual Budget should appropriate such amount of funds to be directed as contribution to CPD kitty as it may be determined by the Governing Council and accordance with the provisions of the Public Finance Management Act, 2012 and other Applicable Laws and subsequent approval by this House.
4. THAT, the CPD Governing Council to come up with the sector Committee on Peace, Security and Cohesion to specifically look into security matters across the member Counties in partnership with County Policing Authorities and the National Government agencies.
5. THAT, the Baringo County Government alongside the four Counties should fast track the ratification and operationalization of the Cooperation for Peace and Development (CPD) memorandum so as to realize rapid sector development within the four member Counties.
6. THAT, this House adopts the Report of Justice, Legal Affairs, Devolution, Governance and Cohesion Committee on the Memorandum of Understanding by and amongst the County Governments of Baringo County, Isiolo County, Laikipia County and Samburu County on Cooperation for Peace and Development (CPD).

Conclusion;

Mr. Speaker Sir, the Committee on Justice and Legal Affairs, Devolution, Governance and Cohesion being the Sectoral Committee mandated to look into such matters, is working hard to ensure that it delivers its mandate and execute its functions promptly.

Finally, Mr. Speaker Sir, It is now my pleasure, honor and duty to present this report to this House for adoption and I request Hon Elizabeth Kipsang...

Sorry before I give Hon Charles Koske to second I want to add my voice because I may not have time later as the vice Chair of these committee am a proud member of this County because we are going to adopt this report today which will bring cooperation between the four because we have already seen the fruits in our sub county Tiati the 70 million, it is not a mere achievement because in future it will come to other parts of these County.

Mr. Speaker the constitution of Kenya gives us the mandate to work with other counties to realize cooperation like these. We also have NOREB which will give us other big projects. Mr. Speaker I want to give to Hon Charles Koske to second. Thank you Mr. Speaker

The Deputy Speaker (Hon. Cheboiwo): Seconded Charles Koske.

Hon. Koske: Thank you Mr. Speaker I stand to second the moved motion on CPD which has come at the right time at a time we are trying to stop cattle rustling in our County. The major issue is peace and the memorandum of understanding brings about water and pasture to end the menace.

The challenge we had previously was the name Amaya Triangle but now we have CPD. The formation of the County assembly summit will pave way for some of us to come up with resolutions that will help the four counties to advance.

Mr. Speaker sir, I believe members will support the motion to pave way to move ahead. Projects have come to our County with lots of money. Members support it, thank you Mr. Speaker sir.

(Question proposed)

The Deputy Speaker (Hon. Cheboiwo): Debate is open...Hon. Kimosop.

Hon. Kimosop: Mr. Speaker I thank the committee starting with able Chair Hon. Charles Koske and vice Chair Hon. Cheserem for the well-articulated report, I support it. Mr. Speaker we were at a meeting as the four counties two years ago and major contestations were three. The first was the name Amaya Triangle Initiative which I myself and others from Samburu raised issues but at the same time we understood the concept then.

Secondly was the incorporation methodology of the body and the third was funding support especially who exactly are the financiers. Mr. Speaker I am happy that in the run up of making this report, I was engaged at various levels and looked at the whole agreement. There is no way it talks about Amaya triangle and full disclosure of out these matters will be handled. We should support.

The challenge is that when decisions are made, I urge our governor and County secretary accept changes that have been made like logos, letters should say CPD formerly Amaya triangle and all will understand.

Initiatives are superb for example the roads will run all the way from Samburu through Churo Amaya ward, Mukutani ward to Mochongoi ward all the way to Kisanana to Nakuru which will help open that belt.

Secondly, Embosos irrigation in Arabal faces cases of insecurity. There is water which flows permanently and people of Kasiela are turning into irrigation and they are selling a lot of tomatoes among other produce.

Members do know of my stake on this and urge them to support, thank you Mr. Speaker.

The Deputy Speaker (Hon. Cheboiwo): Thank you Hon. Kimosop...Hon. Elizabeth.

Hon. Elizabeth: I stand to support the motion as a member of the committee and before then I report to the house that we were with the County secretary for the two days and changes made he is aware and sure that changes will be effected.

Mr. Speaker the CPD has brought developments in Bartabwa Ward, Saimo Soy, Mukutani at the cost of Ksh 10,054, 600 each. This is already development and when we were with the CEC for finance the 36 million is already in our accounts. Mr Speaker we want to urge members to pass the report so that we can use the 36 million that the donor has already given us. There also some objectives on page 11, objectives and common agenda. Mr Speaker if the four counties will work together we are going to have peace. The aim of this is to facilitate economic growth. We have been complaining of low economic growth and one of the greatest agenda of the CBD will be to facilitate economic growth in the four counties. Our people will enjoy the growth because the donors have agreed to fundraise and to fund the projects within the four counties. It is also to promote commercial off take of livestock. The root cause of insecurity is livestock and if one of the key objective of CBD is to promote off take of livestock I think we shall be having a way of how to deal with livestock which is a very bad menace within this County. We shall also be having field lots and it has been proposed that maybe it will be in Mogotio Sub County and the animals from Tiaty will be having fodder.

Mr Speaker I also saw a very important issue where there will be promotion of TIVETs and also promotion of literacy classes. Mr Speaker I was an adult education teacher is going to promote the literacy classes so that so that the elders who are idle will be in class and this is a way of creating employment through the CBD. There is also the enhancement of security which has become a big problem in the County. I am optimistic that the members who are present in this house will pass this MOU so that we can be at par with other counties. I support this MOU so that it can enable Baringo be among the four mentioned counties.

The Deputy Speaker (Hon. Cheboiwo): Ok thank you Hon Elizabeth/ Hon Kebut.

Hon. Kebut: Thank you Mr Speaker I also rise to support this motion and will not say much. I just want to thank the committee because they have come up with this serious report after serious interrogation and consultation with various stakeholders especially the CEC Finance and Economic planning. This is a good document with good things and in the first stage I like what Kipruto Kimosop from Mochongoi Ward supported this motion because during the first initial stages of the Amaya Triangle he really criticized starting from the name. I don't know if he had checked what was in that document but all in all it is important today. I also want to thank him because he fully supported and Mr Speaker when you go through this statement you realize that many things are coming our way. The road is going to open up tourism which is going to cut across the member counties that is Samburu, Laikipia and specifically Baringo because it is going to open up the lower part of Baringo South where we have our major tourist attraction centres like Lake Baringo and Lake Bogoria. So we will gain a lot by getting much revenue through tourism. This one again is going to create employment for our people because I know when they will set up secretariat led by His Excellency the Governor are going to lobby for job opportunities for our people as you know very well our wage bill is very high and this will be an opportunity to absorb our people.

Mr Speaker I know when this 70 billion dam is complete it is going to create employment and it will turn a narrative where we only think that we can be pastoralists. These people can be

farmers because I believe very well the 7 billion dam can be used for irrigation so our brothers from the other side can start practicing farming that is through irrigation and we will see a reduction in cattle rustling. Mr Speaker there is also the beef export and many which we are seeing like improving trade and I think the person who came up with all this idea was to create peace and when our people will be busy and doing all these undertakings like farming and then we will enjoy peace and that is what we need especially our brothers from Baring North, South and Tiaty. Through that I have seen somewhere that we are going to improve standards of TIVETs to mean we will also gain through learning. Otherwise I might not say much I support the motion thank you.

The Deputy Speaker (Hon. Cheboiwo): Thank you Hon. Kebut. Yes Hon. Tarus.

Hon. Tarus: Thank you Mr. Speaker. I support the motion and urge these Hon. Members to support and approve it and pass this motion because Mr. Speaker when you look at the objectives and the common agenda, you will realize that the objectives are very good like to facilitate the economic growth to promote commercial takeover of livestock, feedlots and fodder production and force technical skills.

Mr. Speaker you will realize that these are very good objectives and of course not to forget the donor funding, remember that this County is having a lot of problems in terms of development especially on the lowlands that is the Kerio and we talk of from Mogotio all the way to Tiaty Mr. Speaker those are areas which need a lot of development and especially Tiaty.

I believe that this CPD once it is put in place then it will open up that place and enhance security because once you have people going to school and you have people having means of generating income because those pan dams and the mega dams which will be put in place and the road that will open up the place and there will be a lot of food being grown there and we have the livestock and this fighting over pasture and water will be a thing of the past.

So Mr. Speaker I urge my Hon. Colleagues to support this motion and pass it unanimously so that we can have this particular CPD to be implemented fully because once it is passed in this House then it is like a legislation which will make things roll and make sure that the tangible effect or the tangible positive contribution by the CPD to be realized. Thank you.

The Deputy Speaker (Hon. Cheboiwo): Yes Hon. Majority leader, Yes Hon. Leparsalaach Deputy Majority Leader.

Hon. Leparsalaach (Deputy Majority Leader): Thank you so much Mr. Speaker sir I also rise to put my voice on this motion, I fully support the report, it is very clear that the other time when we actually lamented on the report or on the initiative there were some few things that did not auger well with the communities that we represent.

Mr. Speaker sir as much as we articulate the views or our personal views we also articulate the views of the people that we represent and initially the name that appeared did not auger well with our people.

Mr. Speaker sir may I congratulate the committee they did a superb job and Mr. Speaker sir my concern is on the Kshs. 70 billion dam at Amaya that will be a game changer, sincerely if all the reasons that make the people of Tiaty to come and steal our cattle has been water then that dam will actually bring a difference, and if it is the pasture I am sure that once that dam is constructed then it will change everything.

I am sure that they will also be able to do some irrigation and an introduction of agriculture in the same arid areas will give people an alternative for livelihoods. Mr. Speaker sir in this cooperation, there are two major areas, first is development. Mr. Speaker our level of development varies from County to County. For example if you compare the Laikipia County and our County, we actually have so much to learn from Laikipia; one area that I really admire in Laikipia is the land management use.

They have actually prioritized their land, we are doing pastoralism, we keep cattle all over but when you go to Laikipia it does well in livestock; then they keep the Sahiwal breed and I am sure that if we benchmark with them we will be able to improve on our land use and it will be for the betterment of our people.

Second, is the area of tourism, in fact I think Baringo is better than Laikipia and better than any other County if only we can put our priorities right and make sure that all the attractive sites in our County are put on the website for everybody to see and we hope that we will also market those sites Mr. Speaker Sir.

Another component is peace Mr. Speaker. To my understanding it is unfortunate that Members from Tiaty are not present in the House and Mr. Speaker sir when we talk of peace it should not be Inter-County peace.

The major area that we have conflicts is within ourselves in our County and through this initiative if it is funds that we have been lacking to hold frequent meetings to solve our problems then maybe we will be appropriating some funds within this CBD so that we can actually talk among ourselves.

The big challenge we have is between Baringo north sub-County, Tiaty sub-County, Tiaty south sub-County and maybe the inter-County border conflicts with Samburu and that is one area that Mr. Speaker sir that is my prayer that as Members of this House let us also chip in our own small ways and make sure that peace is attained because without peace we cannot talk of any meaningful development within our County.

Otherwise Mr. Speaker sir, another small area that I want the Chair to clarify is that we have been awarded a 25 cubic meters pan dams in Bartabwa , Saimo Soi but there is a confusion when it talks of Tangulbei and Mukutani wards it is not clear .

It is not clear whether that dam is going to be built in Tangulbei or in Mukutani because those are two different wards because you see in the other wards it is clarified, in Saimo/Soi they have indicated that the dam will be in Barketiw sub-location, in Bartabwa they have said it will be in Kapturo but when you come to Tangulbei and Mukutani it is silent which means that the decision has not been made and those are two different wards and we need that one to be captured and let it come very clearly.

If it is Tangulbei then let it be known that it is going to be Tangulbei in such and such a location, if it is Mukutani then let it be very specific otherwise I congratulate the committee for coming up with this good report and let us work on it and make sure that whatever that is in the CBD we actually achieve it within the specified time. Thank you.

The Deputy Speaker (Hon. Cheboiwo): Yes Hon. Kibara.

Hon. Kibarak: Thank you Mr. Speaker I also rise to support this report by the justice and legal affairs committee on ratification of memorandum of understanding between Baringo, Isiolo, Laikipia and Samburu Counties on the cooperation for peace and development CBD.

This report once passed... I have gone through it, when it is passed and ratified by all the four Counties the report clearly states that it is going to help have meaningful development and peace among our four Counties.

So it is something that we have been eagerly waiting for to happen within our Counties so this thing has passed a lot of stages name changing and so forth but where we have arrived now I am seeing it is in agreement that we are going to go with what we have just been read.

This report has also allowed for any amendment in future if need be so if anybody feels that there is something that is of benefit to us we can all agree and make some changes for the benefit of the four Counties.

I was interested on an area whereby they said that they are going to open up abattoirs in all member Counties, this is an area whereby it is going to help market our products and help the cattle farmers especially in areas where they keep a lot of cattle and when you look at the four Counties you will find that they are all livestock keepers.

So this will assist the members to earn something for their livelihoods in their respective places. So we expect that if that one is going to go by what we have said that is indicated here so we expect every County to be added some abattoirs especially in our County where we have one that is not complete at Maoi and we shall have more in our County so it will assist our farmers a lot.

Mr. Speaker there is also the issue of education whereby we expect to have more schools and maybe churches to make sure that our people get sensitized on the meaning of education changing lives make them better citizens and even avoid silly things like fighting and cattle rustling in the Counties.

There is also the issue of security where we expect more roads to be opened I heard Hon. Kimosop talk about them and also repair the bad ones, we are all regretting Members I also support our Majority leader that we are having a motion and a report that touches mostly our areas especially the Baringo South sub-County and Tiaty.

When you look at the Members of Tiaty they are not here during this debate and you know it happens that their area that is affected and also our County. So we need them to be part and parcel so that as we go ahead this thing is not approved by certain Members of this Assembly so it is so sad today in our Assembly.

Mr. Speaker I wanted to end this way that the issue of water we expect now to have more boreholes maybe from our donor bodies like JAICA and others to various parts of our County whereby there is no issue of insecurity then they will be provided water like the Baringo North, central and all these other areas will get something out of this CPD thing.

So it will help us as a County, I have seen the pillars very excellent ones and I am interested on the health care ones whereby we shall have more hospitals, dispensaries and even more referral hospitals in our County.

So Mr. Speaker when you look at this report it has touched our lives and when ratified which should be done as early as possible I believe that we are going to pass then the people concerned should call us for a ratification meeting so that this thing can be fast truck to help us so that we

do not pass a very important document like this and it end up in shelves instead of implementing it to the letter.

So I support this report and look forward to it being passed very fast... and there is an area which talks about budget some of these sources where we want to burn this things from our County, I think in our Assembly when we shall sit down we shall allocate some funds for it so that it can move. When we just say that we are going to put some money in the County and when it comes to budget time we forget to consider something that we have passed it will be of no importance so let us consider providing some funds from the County so that we can also jumpstart this thing to make it a realization. Thank you.

The Deputy Speaker (Hon. Cheboiwo): Okay, there being no other Member who is willing to contribute I now call the mover to reply.

Hon. Cheserem: Thank you Mr. Speaker sir for this opportunity to reply to the report which has been tabled and the Members contributed, first I want to thank the Members for supporting unanimously which I believe that when we will be calling for the passing Mr. Speaker sir out of their contribution they have done very well.

Mr. Speaker sir I just want to add some few things but first the major concern from Hon. Barsalaach, I admit Mr. Speaker sir that it is not clear but when we inquired and I think we shall make a follow up and I know it will be clear.

Mr. Speaker you know Tangulbei Korossi and Makutani Ward are bordering each other and there is an area of common ... this dam which will be build there is intended to be more of in a border line where both of the wards will be using because the CPD wants to promote peace where they will be interacting with without sharing as brothers and sisters from all our areas of the County otherwise...

I think Mr. Speaker with the powers and also with our mission of having peace we shall follow it up such that in future if we can agree to take this first one to one ward fully then another one to be in the other end, the other side where they have not gotten then it will be more appropriate but for now it is meant to be more of sharing where they will agree as two wards and use jointly.

Mr. Speaker sir I also thank the Vice Chair of Budget and Appropriations Committee because of noting the issue of budget and I think our County will be putting money through flagship and Mr. Speaker sir I want to urge the Members of the budget committee when they see that money placed there they protect it so that it will just go a long way to our contribution as a County.

Mr. Speaker sir, whatever we shall be putting there it will be used to attract the other findings from the donors and therefore they will be looking at those who are supporting in a way by contributing their money or their allocations from the Counties.

So with that support from our Assembly and our County Government to put money we shall go a long way to get that money. Mr. Speaker sir when I said that I am a proud Member of this Assembly and of this committee when I saw the Kshs. 70 billion to Amaya dam. I was thinking that at one time I will make an effort to go and buy land there because that will be our leading agricultural area for irrigation and supplying this County with a lot of fresh food and there will be a lot of production there and with that big dam which will be supporting a lot of agricultural activities there.

Mr. Speaker I also thank all the Members for actually delaying the other time you know when we delayed the adoption of this cooperation it was to fine-tune and that is why today we could see goodies and that time it was not giving us clear funding and all the support but this time the level it is and as per our report we have also shown that there will be room for improvement and I know in future we shall be having a very good document and something which will enable us to do a lot of things in this County and bring a source of income.

Mr. Speaker like the issue of abattoirs, we already have the existing ones which are not operational like the one in Barwessa, Loruk, Maoi and another one which is not bad in Mogotio we shall boost them to improve in to a level of processing that is the target.

Mr. Speaker sir, I end by saying as you now put the question our Members are ready and I thank you so much for supporting this report and may God bless you as you retire to your places later on. Thank you.

The Deputy Speaker (Hon. Cheboiwo): Thank you. The motion having been moved, seconded and also finalized by the mover of the motion I now put the question.

(Question put and agreed to)

ADJOURNMENT

Order Members, being no other business for the day this House stands adjourned until Tuesday the 6th of April 2021 at 2.30 pm.

The House rose at 4.15pm.