

BARINGO COUNTY ASSEMBLY

THE HANSARD

The House met on Tuesday 7th March 2023 at 2:58 p.m.

The Speaker (Hon. Kemboi) in chair

PRAYERS

The Speaker (Hon. Kemboi): Kindly ring the quorum bell

(Quorum bell rung)

Sergeant at Arms we still don't have quorum kindly ring the bell for another five minutes

(Quorum bell rung)

What is it Hon. Ngotie?

Hon. Ngotie: Thank you Mr. Speaker I see we have sufficient numbers we transact today's business.

The Speaker (Hon. Kemboi): Hon. Members Hon. Ngotie has confirmed we have quorum and I order the Clerk to proceed with today's business.

PAPERS

The Speaker (Hon. Kemboi): Majority Leader

Hon. Sitoi: Mr. Speaker I beg to lay the following papers

- i. Submission of Annual Development Plan for 2023/2024
- ii. Submission of County Budget Review and Outlook Paper (CBROP)
- iii. Submission of County Fiscal Strategy Paper for financial year 2023/2024

I beg to lay.

The Speaker (Hon. Kemboi): Hon. Members I commit the said papers to committee on Finance and economic planning.

STATEMENTS

STATUS OF RELIEF FOOD PROGRAMME FOR THE COUNTY

The Speaker (Hon. Kemboi): Majority Leader

Hon. Sitoi: Mr. Speaker the statement sought by Hon. Sharon Keter. Here is a response from the Acting County Secretary and head of public service. The response is;

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It is clear that the National Government has initiated relief food programme to curb hunger menace?

Yes we are aware that National Government rolls out national relief food distribution programme since October 2022 to 2023 to arid and semi-arid counties to cushion household and families affected by drought. Affected sub counties including Tiaty east, Tiaty west, Baringo south, Baringo north, Mogotio and Baringo central.

- i. Is Baringo county one of the counties that has benefited from national relief programme? Yes, Baringo County was among the counties that benefited from national relief programme with special consideration given to Tiaty East, Tiaty West, Baringo South, Baringo North, Mogotio and Baringo Central sub counties respectively.
- ii. How far has the National Government gone in in the initiated process of giving relief food stuffs to affected Baringo County residents? So far, the National Government through coordination of county relief committee has received a total of 7020 (50kg) bag of rice and 8940 (50kg) bag of beans in the six sub county apart from Eldama Ravine for the last four months that has gone a long way to support learning institutions that have been affected by drought.
- iii. Who of the affected residents has been reached and how sufficient has the process been? About 16 ECDE centers and 182 primary schools across the county have been reached with 1800 (50kg) bags of beans and 1560 (50kg) bags of rice as at December 2022. However, there still remain more institutions that require similar support but have not been reached due to resource constraints.
- iv. Does the department has plans to roll out supplementary programme on relief food programme as you may be aware that national programme might not be sufficient? Yes, the department of devolution, public service and administration through the directorate of disaster risk management has prepared a supplementary budget proposal of Kshs. 21 million to support procurement of food stuffs that will complement the ongoing effort by the National Government and other stakeholders in addressing drought situation in the county for the next three to six months.

Mr. Speaker I attended the launch of relief food in Loruk and confirm the national governments are working hard to ensure that Baringo residents get food portion. Majority of Schools in Tiaty East and West and Baringo South have benefited for the relief. Thank you Mr. Speaker sir that is the response.

The Speaker (Hon. Kemboi): Hon. Sam Lokales

Hon. Limo: Mr. Speaker I am impressed by the Ho. Sharon Keter for raising this issue and you have seen from the ministry of devolution are giving us responses that to my opinion are not satisfactory. If you mention 16 ECDEs and without mentioning them as well as the 162 primary schools without telling us the names we cannot verify in the House.

Mr. Speaker I want to mention categorically that none of my CEDEs from Tirioko benefited and I don't know the 16 where they come from. A number of primary schools were given especially the boarding schools but the small schools are still waiting. Mr. Speaker there is a lot of unrest because of the operation KDF the only place that that the students can get refuge is school. If

they get food at school they may be able to settle and concentrate and they may not go and interact with the bandits outside there

I call upon the majority leader to follow up and ensure that more schools in Tiati benefit from this relief food so that we can have retention of our children and we can avoid some of them joining the bad banditry. Thank you Mr. Speaker

The Speaker (Hon. Kiplagat): I can see Hon. Tarus and Hon. Cheboiwo but out of seniority I will go for Hon. Cheboiwo

Hon. Cheboiwo: Thank you Mr. Speaker I don't know if the answers are correct because Hon. Sharon asked some specific questions.

- 1) Has Baringo county benefited from the national relief program
- 2) How far has the National Government gone in the initiated process of giving relief food to affected Baringo residents

Mr. Speaker the answers have circulated on the school feeding program and it does not touch the residents of Baringo we were wanted to know how many households have benefited and for me the answers are not satisfactory because we need to know how many locations or sub locations have been provided with the relief food. Although they are stating that they are giving relief food to schools I know that these are school feeding programs which has been going on because and that's why ECDEs have been left out since they are under county government

Mr. Speaker this question should be referred back then we be informed if there is relief food for the people of Baringo. Thank you Mr. Speaker

The Speaker (Hon. Kiplagat): Hon. Tarus

Hon. Tarus: Thank you Mr. Speaker for according me this opportunity to contribute to this question. I want to thank the Hon. Sharon for bringing up this Question. It has come at the right time. We have big problems but the answer given by the Hon member seems to be like a jock. An answer should also be having proper data and statistics unlike this one. The question is asking about the residents and we are being given primary schools and ECDEs but we are not to which schools they are. To me there is no answer to the questions asked

Mr. Speaker when you look at the questions they are signed by the acting county secretary on the next page it is written for Peninah Bartuin CECM devolution and public service administration, ICT and E government. To me the response is not admissible to this House because the routine is that the answer must be signed by the CECM concerned or another CECM signing for but not Luka Kipyegen and being signed for CECM devolution

Mr. Speaker this question must be returned back for a better answer and it should be dully signed by the person answering the question. Thank you Hon Speaker.

The Speaker (Hon. Kiplagat): Hon. Ngotie

Hon. Ngotie: Thank you Mr. Speaker I want to eco the same thing that Hon Tarus has said about this question. When a statement is being asked about life we should be serious about it. When

they are talking about the ECDEs they are not sure of the number because it says about 16 of them. They are not serious about this question they should know that this is a house of rules, this should be taken back. The other time you ruled that it should be signed by the CEC or by another CEC or CS but they are repeating the same mistake

This is a very serious statement and it should be treated with the same power, do justice to this questioned to be returned to the sender and be given a proper answer to our statement. Thank you

The Speaker (Hon. Kiplagat): Hon. Robert Cheruiyot Kiplagat

Hon Cheruiyot: Thank you Mr. speaker allow me to thank you for the ruling you made last time regarding the minister for health who sent a letter to this House signed by someone we don't know and we went ahead and questioned the same CEC that why cause such an embarrassment to the committee

The same case here Hon. Sharon Keter has written about 2 pages of questions asking about the details which we all saw in television, a mother died going to look for water then a CEC is writing about a page and again signed by someone we don't know.

Mr. Speaker I request that this particular CEC be invited by the relevant committee to come and explain why he is sending to this Hon. House a letter that is signed by someone who the Assembly is not aware of. I also request that this shallow answer should be returned back to the sender.

I congratulate Hon. Sharon for being selected to the Speakers panel. Only that Hon. Kiprono did not know how to address the lady Chair...

(Laughter)

He was scared and faced us rather than facing the beautiful lady here. I also congratulate Hon. Tarus...

The Speaker (Hon. Kemboi): What is the point of order Hon. Kiprono

Hon. Kiprono: Thank you Mr. Speaker. I think you know Hon. Robert and this is a young man. As old as I am we were told by our grandfathers that we don't look at young ladies, you know by the virtue of her being the Speaker...

(Laughter)

So that is not my problem Mr. Speaker. Thank you.

The Speaker (Hon. Kemboi): Yes Hon. Sam what is your point of order.

Hon. Limo: Mr. Speaker you have heard Hon. Kiprono , is he insinuating that Hon. Keter is a young lady while chairing the session of this Hon. House Mr. Speaker. We are not in the market place therefore Mr. Speaker I demand that you tell him to withdraw the statement and apologize to Hon. Keter. Thank you.

The Speaker (Hon. Kemboi): Hon. Robert you are still on the floor are you through?

Hon. Cheruiyot: I am through Mr. Speaker I just thank you for appointing her , she is doing a good job, she is not young , she is the Chair. I also congratulate Hon. Tarus from Sacho for that deserved position. Thank you.

The Speaker (Hon. Kemboi): What is the information Hon. Ngotie

Hon. Ngotie: Mr. Speaker I wanted to get information from Hon. Kiprono. Mr. Speaker when we were given mandate to be on this Hon. House maybe he was given some other briefs from Lembus/Parkera on what to do in this Hon. House including to know who is a young girl and who is older and who can be approached.

He should tell us because he is also my neighbor, I can inquire from them whether those were the briefs he was given.

The Speaker (Hon. Kemboi): Hon. Kiprono you have heard from the Members and I think it is only honorable for you to do one thing ...

Hon. Kiprono: Mr. Speaker, you know nowadays the boy child has been suffering a lot so please be kind to me because I am seeing everybody is against me Mr. Speaker. In the morning I t was actually Mhe. Robert who was trying to play around with my mind.

The document we brought was very strong so he was trying to destruct me from engaging the Members here and Mhe. Keter was our Speaker of which I addressed her very well so I have nothing to apologize because every time I used to say Madam Speaker sir...

(Laughter)

She was in the seat and I addressed her very well so let us give peace to the boy child. Thank you.

The Speaker (Hon. Kemboi): Hon. Kiprono I wanted you to apologize to the effect that in this House we only have Honorable Members we do not have young ladies or young girls , so that was out of order.

Hon. Kiprono: Mr. Speaker because today Hon. Keter has dressed very well, she is in her best today. Today is not valentine's day but I can tell her happy valentines Mhe. Keter as I withdraw and apologize.

(Laughter)

The Speaker (Hon. Kemboi): Members Hon. Kiprono has withdrawn and apologized we don't need to belabor on that. Yes Hon. Maria.

Hon. Losile: Thank you Mr. Speaker. I congratulate Hon. Keter for bringing this important statement. Mr. Speaker this statement is very shallow and we need to return it back to the CEC to give us a very comprehensive statement that will satisfy this House.

Mr. Speaker I think the answers should be accompanied by pictures of bags that were delivered to those schools and also the names of the primary schools or the ECDs.

Mr. Speaker sir I am very sure in my Ward for example I have many ECDs as we talk they have nothing to eat , I wonder which schools these food was given to , so we need the CEC to give us a comprehensive statement. Thank you.

The Speaker (Hon. Kemboi): Hon. Members I have heard the responses from the Members .What is it Hon. Keter?

Hon. Sharon: I am sorry Mr. Speaker for addressing you while on your feet. Mr. Speaker I want to make a comment in light to this answer and I want to join every Hon. Member who has stood here and addressed this issue, Mr. Speaker the answers that were given to the questions that I asked are supper shallow I don't think they had time to think through what they were writing here and I feel like they just did for the sake of doing it.

Mr. Speaker just like what the other Hon. Members have said, let this statement go back to the person in charge of this issue so that he or she can get elaborate response to this serious constitutional issue. That is all Mr. Speaker.

The Speaker (Hon. Kemboi): Hon. Members I have heard all the members express their opinions and views on the statement and the response given by the CEC and all of you have agreed unanimously that the response given by the CEC is not satisfactory and as such I want to direct the Majority Leader to go back and talk to the CEC and tell her to enrich the response more specifically by listing the schools who received these relief food, she should also go ahead tell us what the County Government have done because all these response here is about what the National Government have done.

The CEC should tell us what the County Government have done... I know in the last sentence part four of the question she is attempting to explain what the County will do, these members what to know what the County Government have done including distribution of water and any other mitigation measures that the County Government have done to alleviate the problem and we expect the response in this House latest 14th March 2023 9:30 Am, the CEC has seven (7) days to do that, I have given her the benefit of doubt because this is the first time her response is coming to this House, but the same has to be signed by CEC herself or a CEC of the same status and in the list the County Secretary.

I want to direct all chairpersons to ensure that all responses for all statement sought and sent to this House should be signed by the CECs we are not going to accept responses signed for, if it is not signed by the County Secretary it will be by the CEC at her level if the CEC in charge is not present. Next Order Clerk!

MOTION

REPORT OF THE PIC/PAC COMMITTEE ON THE AUDITOR GENERAL'S REPORT ON FINANCIAL STATEMENTS OF THE BARINGO COUNTY EXECUTIVE FOR THE YEAR ENDED 30TH JUNE 2018

(Resumption of the debate interrupted on Tuesday 7th March 2023 morning sitting)

The Speaker (Hon. Kemboi): Hon Members as you may be aware that the debate on the adoption of the report of the Public Accounts and Public Investment Committee on the Report of the Auditor General on the Financial Statements of the Baringo County Executive for the year

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ended 30th June 2018 was stopped and deferred in the morning and was to proceed this afternoon, I hereby want to say now that the debate is still open and want to call Hon. Members to contribute on the same, Debate is open...

Hon. Ng'otie: Thank you Mr. Speaker for giving me this opportunity to contribute on the PIC/PAC report and I want to congratulate the Committee because for the first time the report for the PIC/PAC was one of its own kind which is not loaded with unnecessary English words but it is a report which could be understood by everyone and it is so detailed. I want also to congratulate the Chairman for delivering a very well documented item to this Hon. House.

Mr. Speaker sir, I noticed in the report some few items which I think... they gave timelines that we should pay rates or rents using our phones or something like that and they gave a time line that after passing this report in two to three months that thing should be up and running and it is something which we are going to follow with my Chairman who is the Chairman for Implementation Committee that it should be done exactly as per the committee's recommendations.

Mr. Speaker you will agree that we are losing a lot of revenue because of the issue of receiving cash payments, even up to now don't be misled that USD is working for our parking, it is not working Mr. Speaker sir, and just try tomorrow even in this town... the officers doing the collections receive cash they are not using the Mpesa number which is given for the County Government and in some cases if you insist you will be given this services reluctantly and we are losing a lot of money.

Another thing Mr. Speaker is that ways of getting revenue which they also recommended especially on rates and rents is that if we do survey for this idle land... and I want to challenge the Chairperson of Lands Committee that if they do survey or they do planning even in informal schemes in towns and given some numbers we will be able to collect rents and rates in those areas and we will get a lot of money but up to now nobody is concerned, when you tell the department to do some planning if they are not doing survey... the people are really ready to pay rates but nobody is concerned about it... nobody wants to collect the rents and rates.

Mr. Speaker the Committee are recommending that we give this thing to KRA... you will cry my friends, try KRA you know we are even now crying... you just invite them it will cut you and even others, let us do it locally before we run to KRA to collect rates and rents and other things on behalf of the County.

Another thing Mr. Speaker, I saw somewhere where the County Government irregularly purchased some things then the recommendation was that they use the PFM Act and something like that, I thought you could give some measures and warn them or they give more details why they did that. You know, you also give something which is strong like the ones which you were given before concerning those things which are not going well but I want to recommend you about the report which is very nice and even mine I am going to keep it somewhere especially because of those of ones of M-Pesa and others, so that we can be making a follow up and in future we see whether they are following because of the issue of revenue, thank you.

The Speaker (Hon. Kemboi): Hon. Robert Cheruiyot

Hon. Cheruiyot: Thank you Hon. Speaker and allow me to appreciate this particular Committee for the good work that they have done especially on recommendation they made in that report page 19 and 20, especially item 5. They seconded some items to be dealt by the Sectoral Committees and again Hon. Speaker I would like to mention something regarding the issues of land, plots and urban areas the way Hon. Ngotie has just mentioned.

We would like to challenge our Chairman here Hon. Sitei that, let this House and Assembly pronounce itself on what the CEC has been trying to do. We have seen the CEC for lands moving around, marking other buildings and implementing town plans in various places. This will help us improve on the issue of revenue. Again that particular committee in page 91 item 6, requested Sectoral Committees to follow up on specific items so that we can be able to do oversight at Sectoral Committee level.

Hon. Speaker it is evident that whenever systems are failing, we are able to see failure in revenue collection and at the same time in those specific items mentioned by this particular committees, those are the areas that we have seen Editor General bringing queries. Last time when reading here Supplementary Budget, we were able to see serious downgrade on revenue collection in Marigat Agricultural Marketing Service (AMS) and Agricultural Training Centre in Eldama Ravine and those are specific places we have seen from the report that there are mistakes.

Hon. Speaker the Chairman for the Committee mentioned here that they gave an excuse that Agricultural Training Centre (ATC) is not able to raise enough revenue and not able to function because there is no water. If you go to that ATC, there are two rivers flowing. Hon. Kiprono this is serious because it comes from your ward. Two rivers flowing around that farm Hon. Speaker of 500 acres and then the County Government went ahead and construct hotels and lodges. Distance of about 20 kilometers from Eldama Ravine town, people will prefer to sleep and spend time in town.

You go and construct lodges in village where people have homes. How do you expect to raise revenue from lodges in the bush? This ATC we would like to make recommendation Hon. Speaker that let it be operationalized to be a breeding stock for animals in this particular County. We have seen from their report that we are losing money because the County Government purchased breeding stock, tree seedlings, coffee seedlings and all those things which could have been produced in that 500 acres and ATC and it could have pushed...

The Speaker (Hon. Kemboi): Hon. Robert Cheruiyot I think Hon. Kiprono has a point of information just...

Hon. Kiprono: Thank you Mr. Speaker, I want to tell Hon. Robert that by the County Government building the hotel and the lodging in ATC is not misplaced. I want to inform him that as we speak now, we have County Government officials meeting there for three days using that facility. I think it is wrong for you to give wrong information to this House that those facilities are not important, thank you Mr. Speaker.

The Speaker (Hon. Kemboi): Proceed Hon. Robert.

Hon. Cheruiyot: Thank you Hon. Speaker. I didn't mean that it is not important but it is not a priority. Those hotels could have been converted into hostels for training young farmers to be

more productive. Finally Hon. Speaker, we need to allow the County Government of Baringo to institutionalize some organizations or structures like Barwessa abattoir.

We have seen Hon. Speaker that the abattoir was constructed long time ago, it is not operationalized and there is no value for money. I would request that in future before a project is established, there should be a manager or a CEO to transact business in that particular place and it is made like a County Parastatal, so that it should be compelled that whoever is managing that institution should start making profits as soon as the project is completed.

Even our stadium here, there should be a management body that is governing it like Nyayo National Stadium has. If you go there, we have a management body collecting revenue for stadium use. Contrary to our stadium where people who have problems go there, young people drink alcohol from there and nobody is managing the gate, vandalism has been done and some metals have been stolen because procurement is done before establishment of management system for particular projects.

You see like the dairy plant near Farmers Training Centre (FTC), whoever planned for the dairy farm foresaw that the 500 acres should be made productive to produce enough milk that will sustain the processing plant but you have seen it is becoming a store and not doing anything or producing what was supposed to be made.

So Chair when County are doing mega projects like that one, it should be institutionalized and management team be established before even the commencement of the project. Thank you very much Hon. Speaker and I appreciate the Committee for doing a good job.

The Speaker (Hon. Kemboi): I don't think there is more contributions, I want to call upon the mover to reply.

Hon. Sialo: Thank you Mr. Speaker. I feel like my voice has disappeared. I stood here for about four hours reading this report. Mr. Speaker, I want to appreciate the contribution by the Hon. Members of this House on the work that we did as a Committee. I also want to appreciate you Mr. Speaker and the House leadership for supporting my Committee in coming up with this report.

Mr. Speaker I want to reply that this House adopts this report and as we requested, the Implementation Committee and all other committees in the House, especially The Selection Committee and the Sectoral Committees to actually implement on this report.

We have a lot to do and if each committee does what is supposed to do, we will actually minimize all this undoings. So Mr. Speaker I beg to table the report and seek the adoption of the report, thank you.

(Question Put and Agreed to)
(Applause)

Order Members,

ADJOURNMENT

This House stands adjourned till Wednesday 8th March 2023 at 9:30am.

The House rose at 4:05 P.M.