

BARINGO COUNTY GOVERNMENT

**SECOND ASSEMBLY
(No.047)**



**FOURTH SESSION
(001)**

BARINGO COUNTY ASSEMBLY

ORDERS OF THE DAY

SPECIAL SITTING

THURSDAY, 16TH JULY, 2020 AT 2:30 PM

PRAYERS:

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motion
7. Statements
8. Motions/Bills

7. STATEMENTS

006/2020: Hon. Nelson Lotela, MCA, Silale Ward, seeks a statement from the **Chairperson, Education, Vocational Training and ICT Committee** on the following matters of concern:

- i. If he is aware that there is a School feeding program for ECDE children in the County?
- ii. What is the total amount of budget allocation for the said program and what is the amount allocated for each school?
- iii. Whether the County Government has received any donor fund to support the said program?
- iv. How many schools have benefited from the said program so far?
- v. Whether the aforementioned program has a policy framework to operationalize its activities?

(Tuesday, 4th August, 2020 at 2.30 p.m.)

012/2020: Hon. Ernest Kibet, MCA, Kabarnet Ward, seeks a statement from the **Chairperson, Labour and Social Welfare, Children, Youth and Sports Committee** on the following matters of pertinent concern:

- i. If she is aware that some select Ward Administrators in the County were recently promoted and transferred to other County departments?
- ii. If she is aware of the names of the said Ward Administrators, the positions and departments they have been promoted to and their Wards and Sub Counties of Origin?
- iii. Were there any internal adverts nor interviews conducted for the stated positions?

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- iv. If she is aware that the promotions have not taken care of regional balance within the six (6) Sub Counties?
- v. What Criteria was used to promote the benefactor Ward Administrators?
- vi. What arrangement is in place to fill the vacancies arising from these transfers on promotion?
- vii. Is there a policy guideline in place to regulate such kind of administrative transfers on promotion and can it be availed to the County Assembly for scrutiny?
- viii. What action is the County Government taking to ensure such anomalies are corrected and are not repeated in future promotions?

(Tuesday, 11th August, 2020 at 2.30 p.m.)

014/2020: Hon. Reuben Chepsongol, MCA, Bartabwa Ward, seeks a statement from the **Chairperson, Water and Irrigation Committee** on the following matters of concern:

- i. If he is aware that there were funds set aside for water provision under Covid-19 funds that was to be used to repair boreholes, offset community water electricity Bills and purchase of water tanks?
- ii. How many water tanks have been purchased to date?
- iii. How many of the said tanks did each Sub-County receive? (Kindly attach the delivery notes used on the deliveries).
- iv. Who is responsible for the distribution of the said tanks?
- v. Can the list of the repaired boreholes with the cost of each repair be availed to the Assembly?
- vi. Which community projects were supported on the payments of electricity bills? (Kindly provide the list per Sub County).

(HBC to ascertain the authentic owner of the statement)

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015/2020: Hon. Richard Cheserem, MCA, Saimo Soi Ward, seeks a statement from the **Chairperson Agriculture, Livestock and Fisheries Committee** on the following matters of concern:

- i. If he is aware that a budget of Kshs. 541,537 was set aside during the 2017/18 Financial Year for the purchase of ground nut seeds?
- ii. If he is further aware that there were delays in purchase of the said seeds?
- iii. What occasioned the said delay?
- iv. Who were the intended beneficiaries of the ground nut seeds purchase scheme?
- v. What measures has the County Government put in place to ensure that the purchase of these seeds is expedited for the benefit of the targeted farmers?

(Incorrect signature and name of the statement seeker. Wednesday, 5th August, 2020 at 9.30 a.m.)

016/2020: Hon. Richard Cheserem, MCA, Saimo Soi Ward, seeks a statement from the **Chairperson, Water and Irrigation Committee** on the following matters of concern:

- i. If he is aware that the following projects were budgeted for in the 2014/15 Financial Year?
 - a. Mogotkot (Chemakot) water pan (excavation)
 - b. Kaptara (Ngechararim) water pan (excavation)
 - c. Oswonin - Koroto water supply (piping)
- ii. What is the status of the above mentioned projects?
- iii. How much has been paid towards the said projects to date?

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- iv. Who are the contractors of the said projects?
- v. Have the said contractors delivered as expected?
- vi. What urgent measures has the County Government put in place to ensure the speedy completion and handing over of the said projects to ensure value for money and accrued benefits for the targeted communities?

(Incorrect signature and name of the statement seeker/questioner.

Wednesday, 5th August, 2020 at 9.30 a.m.)

8. MOTION

(Hon. Kipruto Kimosop – MCA, Mochongoi Ward)

AWARE THAT, Article 188 of the Constitution provides for alteration of county boundary by taking into consideration population density, physical and human infrastructure, historical and cultural ties, cost of administration, views of communities affected, geographical features and objects and devolution of governments;

ACKNOWLEDGING THAT, Article 10 of the Constitution provides for the promotion of national values and principles of good governance which include human dignity, equity, social justice, inclusiveness, equality and human rights;

COGNIZANCE of section 3(b) of the Inter -governmental Relations Act, 2012 which provides for a framework for consultation and cooperation amongst county governments and that county boundaries are highly protected in the 2010 Constitution and that the status quo as at its promulgation must be respected at all times by all stakeholders;

APPRECIATIVE of the native English law principle of good neighborliness and acknowledging the fact that land has from time immemorial been a highly emotive issue;

CONCERNED THAT, in the recent past, there has been encroachment of areas bordering Ng'elecha, Tandare, Korkoron and Lamaiywe areas in Mukutani and Mochongoi ward-Baringo South Sub-county, posing a threat to peaceful

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coexistence among the communities which may further spark political tension, disharmony and heightened animosity if the situation is not addressed at the earliest instance;

DISTURBED THAT recently, unknown surveyors accompanied by a contingent of security officers were spotted doing survey work and demarcation of land at Ng'elecha, Tandare, Korkoron and Lamaiywe areas in Mukutani and Mochongoi ward respectively within Baringo County;

NOW THEREFORE; this Motion urges the County Government of Baringo to:

- 1) Immediately move with speed in conjunction with Laikipia County government and address the encroachment within Ng'elecha, Tandare, Korkoron and Lamaiywe areas in Mukutani and Mochongoi ward respectively and other areas with imminent encroachment within Baringo County Governments boundary.
- 2) Pending intervention by county governments, the surveyors and security agents to desist from conducting any further survey or any similar activities pertaining the aforesaid boundaries.
- 3) Pursuant to Article 188 of the Constitution as read together with part one of the fourth schedule, the national government through IEBC with the

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approval of the National Assembly and the Senate to undertake independent boundary review between Baringo and Laikipia Counties before the 2022 general elections.

- 4) Engage all leaders (M.C.A's Members of Parliament, Senators and Governors) from both County Governments to amicably resolve the escalating conflicts arising from the boundary disputes.

(passed as amended)

9. MOTION - REVISED REPORT OF THE BUDGET AND APPROPRIATIONS COMMITTEE ON THE BARINGO COUNTY GOVERNMENT BUDGET ESTIMATES FOR THE 2020/2021 FY ON THE GOVERNOR'S MEMORANDUM

(The Chairperson, Budget and Appropriations Committee)

THAT, pursuant to the provisions of Article 220 and 224 of the Constitution of Kenya 2010 and Sections 129, 130 and 131 of the PFM Act, 2012 as well as Section 24 (3) (a) of the County Governments Act 2012, as read together with Standing Order 138 (3) (a) and 212 of the Baringo County Assembly Standing Orders this House resolves:-

- i. To **approve** the Revised Report of the Budget and Appropriations Committee on the Baringo County Government Estimates of Revenue and Expenditure for the year 2020/2021 FY laid on the Table of the House on the afternoon of Thursday the 21st day of May 2020 and following the referral of the Baringo County Appropriation Bill 2020 to the Assembly with a memorandum on his observations and Recommendations dated 10th July 2020;

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- ii. To **approve** the issuance of a sum of **Kshs.6,306,909,057** from the County Revenue Fund (CRF) to meet the Expenditure during the Financial Year ending 30th June 2021 in respect of the votes as contained in the First (1st) Schedule.
- iii. To enhance Overall Revenue by Kshs.130,655,000 from Kshs.6,176,254,057 to Kshs. 6,306,909,057.

10.COMMITTEE OF THE WHOLE HOUSE

THE APPROPRIATIONS BILL (BARINGO COUNTY ASSEMBLY BILL NO. 03 OF 2020)

11.THE APPROPRIATIONS BILL (BARINGO COUNTY ASSEMBLY BILL NO. 03 OF 2020)

(Third Reading)

12.MOTION - ADJOURNMENT FOR SHORT RECESS

(The Leader of the Majority Party)

THAT, this House Adjourn for Short Recess as from Friday 17th July, 2020 to Monday 27th July, 2020.

ADJOURNMENT