

BARINGO COUNTY GOVERNMENT

**THIRD ASSEMBLY
(No. 257)**



**THIRD SESSION
(836)**

BARINGO COUNTY ASSEMBLY THIRD ASSEMBLY – (THIRD SESSION) ORDERS OF THE DAY

TUESDAY 26TH NOVEMBER, 2024 AT 2:30 PM

ORDER OF BUSINESS

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

039/2024: Hon. Jeruto Kiptalla, MCA, Baringo County, seeks a statement from the **Chairperson, Health Services Committee** on the following matters of concern:

THAT, there is an outbreak of Hepatitis B in Kabarnet Ward in areas of Salawa and its environs;

- i. What measures is the County Government putting in place to facilitate the screening of residents of these areas to avert a looming health crisis as a result of the outbreak of this deadly disease?
- ii. What plans does the department have to facilitate the vaccination process of the residents in these areas against the disease?
- iii. What measures is the County Government taking to initiate the process of sensitizing the residents on the symptoms, causes and treatment of Hepatitis B?

(The answer was not satisfactory. The Committee should take note of the statistics and clarify the distribution of results for Tiaty East and Tiaty West)

048/2024: Hon. David Sitei, MCA, Bartabwa Ward, seeks a statement from the **Chairperson Finance and Economic Planning Committee** on the following matters of concern;

THAT, Article 196, 201(a) of the Constitution of Kenya 2010 provides for public participation;

THAT, the County Executive Committee Member responsible for Treasury and Planning is mandated to lead the Annual Development Plan (ADP) and the Annual Budget for the County.

THAT, during the 2023/24 FY, the following projects, totaling **Kshs. 8, 137,500** were well identified in the ADP and subsequently allocated budgets for by the residents of Bartabwa Ward.

- a) Construction of Bukwo and Beibosok foot bridges **Ksh.3, 000, 000,**
- b) Fuel for dozing works, **Ksh.2, 000,000**
- c) Construction of Kapturo Dispensary staff houses **Ksh.1, 175,000**
- d) Drilling of Kokwomoi borehole, **Ksh.1, 300,000**
- e) Pipeline extension for Terik borehole, **Ksh.662, 500**

Additionally, the said projects have not been implemented and have not been included in the 2024/2025FY, as shelved or rolled over projects.

- i. Can the County department of Finance &Economic Planning confirm that these projects were in the 2023/24 **FY** Budget, and if yes, confirm that the projects were not implemented?
- ii. If the aforementioned projects were not implemented, can the department give reasons why they were not included in the 2024/25 **FY** Budget?
- iii. What measures will the department put in place to ensure that projects are not lost during the implementation stage?

(The Committee on Water and Irrigation to conduct a fact finding mission to ascertain question d) drilling of Kokwomoi borehole, Ksh. 1,300,000 and e) Pipeline extension for Terik borehole, Ksh. 662,500 and report back to House on 26th November, 2024 at 2:30pm)

049/2024:Hon. David Sitoi MCA, Bartabwa Ward, seeks a statement from the **Chairperson, Transport, Public Works and Infrastructure Committee** on the following matters of concern:

Aware that **Bartabwa Ward** was allocated **Ksh. 4,000,000** in 2022/2023 and **Ksh. 4,000,000** in 2023/2024 financial years respectively for fuel;

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- a) Which roads were done in specific, distance per road, fuel used per road and the fuel balance in each financial year?
- b) Can the department provide requisition vouchers for the purchase of the said fuel?
- c) Can the department also provide work tickets for the machines used?
- d) What action is the County Government taking to ensure that the use of fuel cards for every Ward and how long the policy on fuel cards take to be fully implemented for seamless service provision?

(The Committee to conduct a fact finding by visiting the site to ascertain if the works were done)

050/2024:Hon. Henry Kigen MCA, Tenges Ward, seeks a statement from the **Chairperson, Lands, Housing and Urban Development Committee** on the following matters of concern:

THAT, Tenges Ward allocated funds in the financial year 2013-2014 to purchase a land for construction of Tumek and Kaiso cattle dips;

- i. Was public participation conducted to agree on the locations of the said cattle dips?
- ii. What was the amount allocated for land purchase for each cattle dip?
- iii. What delayed the purchase of the said lands?

The response were not satisfactory

8. THE BARINGO COUNTY HEALTH FACILITY IMPROVEMENT FINANCING BILL, 2024

(Second Reading)

9. COMMITTEE OF THE WHOLE HOUSE

**THE BARINGO COUNTY HEALTH FACILITY IMPROVEMENT
FINANCING BILL, 2024**

(Chairperson Health Services Committee)

**10. THE BARINGO COUNTY HEALTH FACILITY IMPROVEMENT
FINANCING BILL, 2024**

(Third Reading)

ADJOURNMENT

NOTICE PAPER I

Tentative Business for Wednesday, 27th November, 2024

(Published pursuant to Standing Order 38)

It is notified that the House Business Committee has approved the following **tentative** business to appear in the Order Paper for 27th November, 2024 (**Morning Sitting**).

5. PAPERS

(The Leader of the Majority Party)

1. Chemolingot Sub County Level 4 Hospital (County government of Baringo) Quarterly Report and Financial Statements for the Period ended September 30, 2024.
2. Submission of Annual Consolidated Financial Statements for the Financial Year 2023/2024.
3. Baringo County Emergency Fund Quarterly Report and Financial Statements for the Period ended September 30, 2024

7. STATEMENTS

041/2024 Hon. Julius Ngotie, MCA, Eldama Ravine, seeks statement from the **Chairperson Trade, Tourism and Cooperatives Committee** on the following matters of concern;

THAT, the Constitution of Kenya 2010 provides for devolution of Trade and Co-operative societies and that, the County Government of Baringo since the inception

of devolution has been budgeting and disbursing loans to Small Medium Enterprises (SMEs).

THAT, article 195(1) of the CoK 2010 as read together with Standing Orders 196(5) gives the County Assembly powers to compel production of documents and any important information.

Pursuant to the above;

- i. What was the initial amount budget for the SMEs
- ii. What amount have been Disbursed and recovered since inception.
- iii. Give the status of repayment/recovery per Sub County.
- iv. Provide the list of non performing accounts, giving the total sum of the loans defaulted.
- v. From the initial amount how much has since been added to the Kitty in the subsequent County budgets?
- vi. Does each Sub County has well updated ledger books? If so please furnish the House with the updated ledger books.
- vii. Can each Sub County operate a separate account for easy follow up?
- viii. Please give details on how the current Kshs.2 million was disbursed as per each Sub County.
- ix. Give the status report of the Baringo County SMEs since inception to date per each Sub County and;
- x. A detailed list of SME loans beneficiaries since inception as per Sub County.
- xi. Provide an updated ledger book for every loanee for the last three year SME disbursements.
- xii. Furnish this House with the latest updated Bank statement.

051/2024: Hon. Alex Kiprono, MCA, Kapropita Ward, seeks a statement from the **Chairperson, Labour and Social welfare, Children, Youth and Sports Committee** on the following matters of concern:

THAT, There are a number of County Employees that have exited service through; Retirement, Natural attrition, forced and voluntary resignation. Revenue clerks employed in July, 2017 following interviews held in June, 2017.

CONCERNED THAT, the above processes have had reported cases which have negatively affected service delivery in the County.

NOW THEREFORE, this statement requires the department to respond to this House on the following issues;

- i. How many of the staff have existed service through the said avenues since July 2022?
- ii. Can the department provide a list of all the County employees that have exited service through the said means?, clearly indicate their Payroll details,
- iii. How many have been replaced and how many are yet to be replaced?, indicate their respective departments and job groups,
- iv. What action is the County government taking to ensure that employment in the County is free, fair and reflects the face of the County?

NEW

NOTICE PAPER II

Tentative Business for Wednesday, 27th November, 2024

(Published pursuant to Standing Order 38)

It is notified that the House Business Committee has approved the following **tentative** business to appear in the Order Paper for 27th November, 2024 (Afternoon Sitting).

5. PAPERS

(The Leader of the Majority Party)

1. Baringo County Education Bursary and Scholarship Fund Quarterly Report and Financial Statements for the Period ended September, 2024

7. STATEMENTS

052/2024: Hon. Alex Kiprono, MCA, Kapropita Ward, seeks a statement from the **Chairperson, Labour and Social welfare, Children, Youth and Sports Committee** on the following matters of concern:

THAT, There are rising cases of County Employees resorting to labour courts seeking redress against the County Government and its agencies, cases in point being the staffs of Kabarnet Municipality and Kirandich Water Company.

NOW THEREFORE, this statement requires the department to respond to this House on the following issues;

- i. How many Labour cases have been launched in Labour Courts by the members of staff against the County government since July, 2022?

- ii. Can the department provide a list of all the County labour cases lodged since July,2022?, clearly indicate their respective status,
- iii. How much of County funds have been used in Courts?
- iv. What action is the County government taking to ensure that the county employees do not resort to Labour Courts?

NEW

8. MOTION

HON. JOSPHAT LOKORIO, MCA, BARWESSA WARD

Hon. Speaker, pursuant to Standing Order No. 46, I wish to give notice of the following Motion,

AWARE THAT, lake Kamnarok National Reserve is situated along the floors of Kerio Valley in Barwessa Ward, Baringo North Sub-County between the borders of Baringo and Elgeyo- Marakwet Counties with an area equivalent to 87.7Km and having a fresh water ox-bow lake;

ACKNOWLEDGING THAT, the aforementioned reserve was gazette in 1983 vide legal notice No. 101 dated 14th June 1983 however the same has remained underdeveloped owing to incessant disputes by the residents;

NOTING THAT, Article 28 of the Constitution provides that every person has inherent dignity and the right to have that dignity respected and protected and further, Article 43(1) (b) provides that every person has the right to accessible and adequate housing, and to reasonable standards of sanitation;

ALARMED THAT, in the recent past, there has been continuous destruction of the ecosystem including drying up of the lake, land degradation, reduction of wildlife population which are attributed to human encroachment, which led to the wildlife attacking locals;

DEEPLY CONCERNED THAT, the residents of Barwessa ward have continuously been attacked by wildlife such as elephants and reptiles which cause fatal injuries and deaths due to snake bites and yet they have not been compensated and many continue living with broken limbs and loss livelihoods and even of lives;

FURTHER CONCERNED THAT, over twenty houses have been torched, others demolished by the Kenya Wildlife Service personnel leaving those residing there to be homeless much to their detriment especially during this raining season which exposes them to water borne diseases with nowhere to go;

COGNIZANCE THAT, the fact that children can no longer go to school because of this displacement is also in contravention of the United Nation Convention on the Rights of the Child which Kenya is a signatory. This comes to play as children are always some of the most vulnerable and often victims of these displacements;

CONCERNED THAT, despite numerous attempts including an earlier notice of motion and a subsequent substantive motion which was approved by this House on the same, no compensation has been done to the residents which have been affected by incessant attacks by wildlife along the Lake Kamnarok corridor;

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

1. Move with speed and liaise with the Kenya Wildlife Service to ensure that prompt compensation has been done to the affected residents of Barwessa Ward.
2. That in the meantime and pursuant to Article 29, the County Government in conjunction with the national government security apparatus, ensure that residents are provided enough security to guarantee them their safety.
3. That the County Government in conjunction with other stakeholders do ensure that it provides humanitarian assistance to all affected people who have been affected by the perennial snake bites and attacks by the elephants.

Mr. Speaker Sir, I Beg To Move.

