

REPUBLIC OF KENYA

NYANDARUA COUNTY ASSEMBLY

1ST ASSEMBLY- 5TH SESSION

OFFICIAL REPORT

Wednesday 21st June, 2017

The Assembly met at the Assembly Chamber at 9.00 a.m.

[Temporary Speaker (Hon. Dorcas Kihara) in the Chair]

PRAYER

QUORUM CALL AT THE COMMENCEMENT OF THE SITTING

(The clerk-at-the-table confirms that there is no quorum)

Speaker: Quorum having not been recognized, I invoke the provisions of Standing Order No. 34 and direct that the bell be rang for an initial 10 minutes or, until such a time within the 10 minutes that quorum will have been achieved.

*(The bell rings for four minutes and quorum is achieved
as confirmed by the Clerk-at-the-table.)*

Speaker: Quorum having been achieved, I order that the bell be disengaged.
First order

PAPER(S) LAID

1. AUDITED FINANCIAL OPERATIONS OF NYANDARUA COUNTY GOVERNMENT F.Y
2016/17

Speaker: Yes Member for Githioro and Chairperson, Public Accounts and Investment Committee, Hon. Silvester Kagiri Mwangi.

Hon. Kagiri Mwangi: Thank you Madam Speaker. I wish to lay on the table the Progressive Report of the Public Accounts and Investment Committee on the Audited Financial Operations of Nyandarua County Government for the year ending 30th June and I think the norm is that I highlight what is in the Progressive report.

Speaker: Yes, you table the report, and then you highlight what is contained in it. Proceed.

Hon. Kagiri Mwangi: Thank you Madam Speaker. I would like to inform the House that due to time constraints, we could not complete this report and that's why we decided to come up with a progressive report in its stead. In the report we have highlighted, analysed and summarised all the queries raised by the Auditor General since his report was quite voluminous.

After scrutinizing the Auditor's report, the practice is that we send letters to various departments requesting for explanations where there lacks clarity. The committee has already done and some departments have already submitted their responses and you can see them in your files. Again, due to time constraints, we could not have gone through all the responses or invited all the witnesses to come and clarify those issues.

Some of the issues raised, however, were extremely adverse; Madam Speaker, like the Njabini Kiburu Kiarutara Road whereas amount of Ksh.37.5 M was spent but by the time of our visit, the road had not been completed. The road was supposed to be 14 Kilometres but only 4 Kilometres of that road have been graded. We visited the road to ascertain if anything had been done after the audit but nothing had been improved. Culverts were not installed in all the places that they required and even those that had been installed had been blocked, the road was narrow with a lot of pot holes. This, Madam Speaker is a road that was constructed only two years ago. Although the Committee was not satisfied with what had been done we learnt that the contractor was never paid; a portion of the amount that was alluded to by the Auditor General i.e. Ksh.37M is still lying in the county treasury.

That was among the major issues that require to be investigated further and though we were unable to conclude, we hope that, God willing, when we come back, the issue will be on our agenda so that we can ascertain what really happened.

The other major issue was about the market sheds. The auditor general indicated that Ksh.44.5 was spent by the finance department in the construction of these sheds. We wondered as a Committee, why should the department of finance implement projects that are supposed to be implemented by the Cooperative and Industrialization department? We sampled Wanjohi and Ndunyu Njeru market sheds and conducted site visits. We noted that every market shed spent around Kshs 4.1 M an amount whose value the county did not get. When we engaged the traders in Wanjohi, the end users, they indicated that they only use the sheds when it rains but we noted that it could not protect the traders from harsh weather conditions as the sides are unprotected.

Madam Speaker, we also visited the Ndunyu Njeru market shed and, although it was shoddily done, the traders still use it as they have no other option. The Committee felt that the contractor ought to have built stone shelves for the traders to store their produce after closing. There are other departments that were adversely mentioned like Education, I.C.T., and Water. For Kirima and Muti-ini water projects, for instance, the county government paid the contractors fully yet the projects were not completed. Although we are yet to interrogate the response from that department, we need to know what informed the government's decision to pay even before the projects are incomplete.

There was also the construction of pack house by the department of Agriculture, Livestock and Fisheries; a project that was never budgeted for but the County Government went ahead and contracted a whopping Kshs 50.1 M. Madam Speaker, the audit query was that we should not have constructed a project that had not been provided for in the budget. The finance department was plagued with issues about virement and reallocation of funds. This query, Madam Speaker, I believe represents a disconnect between the auditors and the people who were supposed to give the relevant information to them as most of these virements and fund reallocations were informed by the numerous Supplementary Budgets we approved here. The Auditor General never held exit meetings with these departments so as to agree on certain issues; but of course we cannot rule out the possibility that the county departments did not furnish the auditors with the relevant documents in time.

The Auditor General also raised issues with the department of Health's recurrent expenditure but the department indicated that the money was spent on buying drugs. There is also the department of Lands where Kshs. 30M was allocated to other votes without following the due process being followed but the Committee felt that the issue could have been solved

had the Auditor General held an exit meeting with the officers of the various departments. I was made to understand that the department has forwarded its responses but we were not able to interrogate the document.

Madam Speaker, the fore mentioned issues are very weighty and the committee could not compile a comprehensive report without responses from the chief officers of the various departments. The purpose of this progressive report is only to inform the house the extent to which the Public Accounts and Investments Committee has reached in scrutinizing the audited financial operation of Nyandarua County government for the year ending 30th June 2015. That's all; bearing in mind we tried as much as we could to finish this report because we don't know what will happen tomorrow. We wouldn't want anyone to come and start witch hunting since we were in office and we knew what was happening, though not always. Madam Speaker, that is what we came up with and I hope this House appreciates that we have done a good job as they indicated yesterday. I thank them for their support for the time we have been together and hope, as the Chairman of the PIC/PAC, we shall be together even in the second House i.e. after 8th of August.

Thank you madam Speaker.

Speaker: Thank you Hon. Silvester Kagiri, Chairperson Public Accounts and Investments Committee and also the members of the committee for the good work on the Auditor's report on County Executive Operations in the financial year ended 30th June 2015. You have given whoever will come next a starting point and, although you were unable to bring us a comprehensive report due to the issues you have highlighted, you and your committee have done a good job. Thank you very much chair. What is it Hon. Kirumba?

Hon. Michael Kirumba: Thank you Madam Speaker I seek your direction so that on how we can have some reactions on this one or if I can add to what the chairman of PIC/PAC has said.

Speaker: Very well, proceed.

Hon. Michael Kirumba: Thank you very much Madam Speaker, much obliged. As a Member of this Committee representing people of Kipipiri ward, I feel that this committee has really put things into perspective. They made random visits to these areas where public money was spent and as the progress report cites, there are roads that were meant to open up South Kinangop and Nyandarua. This is a road that would have had very serious impact if it was professionally done but as the report indicates, the job was shoddily done. You recall that we spent close to over Kshs 30 to 40M on these roads and you don't need to be a road engineer to find that nothing was worth or near such colossal amount of money.

This is an area the second assembly and may be other agencies should be fully involved because one may cheat for some time but you cannot hide forever. This is something I think other agencies will want to revisit in the future so that we really know why such a shoddy job was done.

Across the county these market sheds were meant to benefit the *mama mbogas*; and those who make a living from small investments of about Kshs300 -400 and we thought when it rained these sheds could have really helped them. Nyandarua is at times very windy and rainy and you find that we automatically start wondering where these people got the designs from, who did the drawing, did they know the area they are constructing these sheds? Did they know that when Nyandarua rains you cannot afford to shelter in an open arena? I think someday someone will have to respond to this one because they cannot construct sheds in Wanjohi, Miharati which to date have not been helpful. At Miharati we already had another bigger shed which was constructed under the Economic Stimulus Programme and it is still there with nothing but shelves of metal steel!

Madam Speaker, the members of the public do not even know whether it is the assembly that oversaw their construction and that is why we are being fought from all directions just

because somebody didn't do a good job. The other issue is on the conflicting mandate of the departments of Finance and Cooperative and Trade. I think this committee was trying to leave proper records and if only we could have gone through the whole five years, these are things we would have left in perspective but, we also appreciate that the first assembly will be one year shorter. It's unfortunate that first born always suffer most; even in our family set up, if you are the first born in a family you find that you always end up getting disadvantaged; you had to carry all your siblings, particularly those days when family planning was a foreign term. Those who come later enjoy much more. Nonetheless, there is an advantage to being the first one to see the sun because you are always called upon to give advice. Member of this first assembly will go into history books as having worked in a very desperate situation.

In a nut shell, the committee did what they were to do under the prevailing circumstances and the second assembly can do the rest; they will have somewhere to start as we've left a mark. When they look at the minutes of this committee which, I believe, will be available as per our standing orders, they will see that we did our best and as we watch, from the periphery, we shall also be contented, having done what we were supposed to do. This is the last report the committee is bringing to this assembly and it feels a lot like how it felt on the eve of our last day in High school and every one of us was going our different ways. Soon I will be going back to Kipipiri, others to Githabai. The time we've been together has given us a chance to bond and we will always treasure it. We pray that we shall all come back because it will even be smoother, having been used to each other and the staff which is good. Otherwise, thank you Madam Speaker for giving me the chance to react to this report as a Member of this committee.

Speaker: Thank you Hon.. Michael Kirumba, Deputy Majority Leader and also a member of PIC/PAC. Yes Hon. Suleiman Kihika, vice chair of the committee.

Hon. Suleiman Kihika: Thank you Madam Speaker, as the vice Chair of this Committee, I have a few words to say. The PIC/PAC has done its part in coming up with this progressive report. In fact anybody who comes after us will attest to the fact that what the committee did was in accordance with the Auditor General's requirements. The Members of this House yesterday acknowledged that this committee has worked tirelessly to ensure that it has done its work and I thank them for that. I also wish to thank the Members for supporting the reports we brought to the assembly. At least they now appreciate what we do and they have stopped asking what we do in a two-hour meeting. The Members of the Committee have rightfully earned their sitting allowances and I know God will reward us when we go out of this assembly. I rest my case there and I support this progressive report. Thank you madam Speaker.

Speaker: Thank you Hon. Suleiman Kihika. Yes, Hon. Jane Muthoni Mwathe county member from Wanjohi.

Hon. Jane Mwathe: Thank you Madam Speaker I rise to support this progressive report by PIC/PAC. If we look at the case of Wanjohi Ward, the market shed was built with Kshs 4.2M but if we compare it with the one done in Gathaara ward, we really wonder whether we got value for our money. We tried to complain at the onset but nothing was done. If my memory serves, the Cooperative and Industrialisation Committee visited Wanjohi and stopped the construction of the market shed toilet because it is located in the centre of the market whereby and when it floods the traders are not be able to go about their business. In regard to the sheds, the traders only use them when it is raining so I would suggest that because they don't seem to help our traders when they need protection most, the county government considers buying umbrellas for every *mama mbogas*.

The traders at Gathaara have really benefitted because they do not have to rent a place to store their produce at night. They can easily store their produce in the shelves and lock up their stalls at night unlike in Wanjohi where they have sheds without even a stand or a table to

raise their produce for display. I can only pray to God to help us to come back because there was very little work done on the other sheds. I urge the House to support this progressive report and urge the government to build more modern stores to help our women sell their produce in the local markets. Thank you Madam Speaker.

Speaker: Very well, thank you very County member from Wanjohi. Yes Hon. Margret Wamuyu County Member from Leshau Pondo.

Hon. Margret Wamuyu: Thank you Madam Speaker, I support the progressive report for PIC/PAC, actually as one of the M.C.A's in this assembly I can attest to the fact that this committee has done its best. The Committee has battled a lot of challenges since nobody wants to be haunted for wrongly implicating anyone in a report. I recall the road that Hon. Kirumba was talking about; a road we allocated almost Kshs 40M but when the committee went to oversee the work done, nothing much was done. If by God's grace we come back, I believe we shall do more. Everybody knows that roads are very important to *Wanjiku* because if they are not well maintained she will have a problem selling her milk and potatoes. That is why am hoping that we all come back and do more for our county. Finally before I wind up, now that we have come to the end of the game, I would request the House Business Committee to organize so we can have a cup of tea together as we part ways to go be with our people because our God says He blesses those who stay together. With those few remarks, Madam Speaker, I thank you and support the report.

Speaker: Thank you very much County Member from Leshau Pondo Hon. Margret and the rest of the Members for your reactions to the progressive report from PIC/PAC and I hope that all that has been deliberated by members will be recorded and kept well for the second assembly. The request by Hon. Margret Wamuyu will be considered by the House Business Committee and, I believe a communication will be done on the same tomorrow before we adjourn sine die.

Next order

ADJOURNMENT

Speaker: Having exhausted the business in the order paper, this House stands adjourned to today Wednesday 21st June, 2017 at 2.30 pm

(The House rose at 9.45 a.m.)