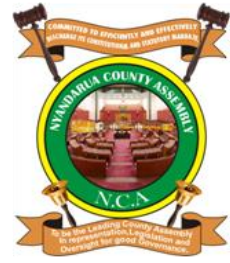


REPUBLIC OF KENYA



NYANDARUA COUNTY ASSEMBLY

ORDERS OF THE DAY



FIRST ASSEMBLY  
(No. 206)

THIRD SESSION SECOND PART

THURSDAY 6<sup>TH</sup> AUGUST, 2015 AT 2.30 P.M.

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### ORDER PAPER

#### PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
  - i. **Hon. Daniel Kibebo** (Chairperson, Trade, Co-operatives Industrialization, Tourism and Wildlife Committee)  
Progress report on the construction of Wanjohi Market shed and Pit latrine by Committee on Trade, Co-operatives Industrialization, Tourism and Wildlife
  - ii. **Hon. Silvester Kagiri Mwangi** (Chairperson, Public Investment and Accounts Committee)  
Report on the Financial Operations on Nyandarua County Government and its defunct Local Authorities for the period 1<sup>st</sup> January to 30<sup>th</sup> June 2013 by the Committee on Public Investment and Accounts Committee.
6. Notices of Motion
  - i. **Hon. Silvester Kagiri Mwangi** (Chairperson, Public Investment and Accounts Committee)  
Mr. Speaker Sir, I beg to give notice of the following motion:

**THAT** this House does adopt the Report on the Financial Operations on Nyandarua County Government and its defunct Local Authorities for the period 1<sup>st</sup> January to 30<sup>th</sup> June 2013 by the Committee on Public Investment and Accounts Committee as a report of this House and the recommendations therein as resolutions of this House. Thank you Mr. Speaker Sir.

## 7. Statements

### a) Request for Statements

i. Hon. Dorcas N. Kihara (County Member, Githioro Ward)

#### Statement from Chairperson, Committee on Agriculture, Livestock and Fisheries

Mr. Speaker Sir, I hereby seek a statement from the Chairperson, Committee on Agriculture, Livestock and Fisheries concerning and addressing the following:

**Aware** that upon transition to County Government system of governance the National Government through the Transition Authority and for smooth transition, seconded some employees to the County Public Service;

**Noting** that the County Public Service Board has thereafter employed workers including employees for this particular Department;

**Emphasizing** the need to uphold the national principles of public service leadership and integrity including efficiency, effectiveness and economic use of *(human)* resources;

**Concerned** that the impact of the employees of the Department on Agriculture, Livestock and Fisheries has not and is not being felt by the people of the County particularly on extension and veterinary services including Artificial Insemination services.

I now seek a statement from the Chairperson of the Committee on Agriculture, Livestock and Fisheries addressing the following issues:

- i. The Service Charter of the said Department;
- ii. The human resources(staff) status of the Department including those who seconded by the Transition Authority and those employed by the County Public Service Board;
- iii. The gaps, if any, of human resources needed to be filled in the department.
- iv. The qualification of the staff in the Department;
- v. Departmental strategies and policies towards achieving its functions and mandate
- vi. The specific number of staff absorbed from the National Government; and
- vii. The number and status of assets owned by the Department;

Thank you Mr. Speaker Sir.

ii. Hon. Dorcas N. Kihara (County Member, Githioro Ward)

**Statement from Chairperson, Committee on Water, Environment and Natural Resources**

Mr. Speaker Sir, I hereby seek a statement from the Chairperson, Committee on Water, Environment and Natural Resources on the following subject matter and concerns:

**Aware** that County Public Works and services, including water and sanitation services are devolved functions and powers of the County Government;

**Further aware** that one of the constitutional objects of devolution is to promote social and economic development and the provision of proximate, easily accessible services throughout Kenya and in the counties;

**Noting that** the County Departments are established with specific mandates and duties as guided by the County Governments constitutional functions, powers and mandates.

**Further noting** that the County Departments should establish a service charter in line with their functions, duties, and mandates and ensure that their services are easily accessible and proximate throughout the County;

**Concerned** that three years down the system of devolution, Nyandarua people are yet to fell and recognize the impact of the department dealing with matters of water;

**Appreciating** that this a department that has a significant number of employees in the County Public Service and which also gets a lion share of budgetary allocation for operations and development every financial year;

**Emphasizing** the need to ensure that county resources including funds and human resource are utilized in a manner that is productive and most efficient;

I now seek a statement from the Chairperson Committee on Water, Environment and Natural Resources addressing the following issues:

- i. The functions and mandates of the said department
- ii. Whether the Department has in accordance with the County Government Act, development its county ten years strategic plan and if not, the reasons thereof.
- iii. Whether the department has developed a charter on its services and if not, the reason thereof.
- iv. The status of human resource in the department including their distribution in the County;

- v. The number and status of assets owned by the Department;
- vi. The relationship of the department with water supply companies such as Ol Kalou Town Water and Sewerage Company; and
- vii. The gaps of human resources needed to be filled in the department.

Thank you Mr. Speaker Sir.

iii. **Hon. Dorcas N. Kihara (County Member, Githioro Ward)**

**Statement from Chairperson, Committee on Industrialization, Trade and Cooperatives.**

Mr. Speaker Sir, I hereby seek a statement from the Chairperson, Committee on Industrialization, Trade and Cooperatives on the following subject and concerns:

**Aware** that the County Government has, as a matter of policy, embarked on promoting Trade, Industrialization and Cooperative movement in the county.

Some employees were seconded from the National Government in the wake of devolution while others have been employed by the County Government under the County Public Service Board.

**Concerned** that public entities are supposed to be run in an open and transparent manner taking into consideration the national values and principles as enshrined under Article 10 of the Constitution.

Arising from the foregoing, I seek that the Chairperson, Committee on Industrialization, Trade and Cooperatives does issue a Statement in this house addressing the following issues:

- i. The status of human resource in the Department and specify the same as per the sub-counties;
- ii. The qualification of the staff in the Department;
- iii. The specific number staff absorbed from the National Government;
- iv. The number and status of assets owned by the Department; and
- v. The gaps of human resources needed to be filled in the department.

Thank you Mr. Speaker Sir.

iv. **Hon. Paul Kiruka Mburu (Member, Charagita Ward)**

**Statement from Chairperson, Committee on Justice, Legal and Public Service**

**Mr. Speaker Sir**, I hereby seek a statement from the Chairperson, Committee on Justice, Legal and Public Service concerning and addressing the following:

**Aware** that the body of one Mr. Francis Njoroge Kiarri, a thirty eight year old man, resident of Milangine was found lying at Charagita village with bruises on the forehead and the neck on the 8<sup>th</sup> of April 2015 at around 0600 Hrs;

**Noting** that the Certificate of Death No. 0327108 issued on the 30<sup>th</sup> day of June 2015 in pursuance of the Births and Deaths Registration Act (Cap 149), in relation to the above aforementioned matter indicates that the cause of death was as a result of contracting TB;

**Emphasizing** that the Constitution in Article 35 guarantees every citizen the right of access to information held by the State, and information held by another person and required for the exercise or protection of any right or fundamental freedom. Further aware that every person has the right to correction or deletion of untrue or misleading information that affects a person.

**Concerned** that the apparent contradiction in the cause of death of the late Mr. Francis Njoroge Kiarri is agonizing and mentally tortuous to the family and friends of the deceased.

I now seek a statement from the Chairperson of the Committee on Justice, Legal and Public Service addressing the following issues:

- i. The Cause of Death of the Deceased as indicated in the Certificate of Death No. 0327108 has any relation to the physical injuries that the deceased's body had when the body was found,
- ii. Whether the cause of the physical injuries on the deceased body are known, and,
- iii. Whether the police received any information related to the deceased physical injuries,

Thank you Mr. Speaker Sir,

**iv. Hon. David Ndirangu Ngigi(Member, Mirangine Ward)**

**Statement from Chairperson, Committee on Water, Environment and Natural Resources**

Mr. Speaker Sir, I hereby seek a statement from the Chairperson, Committee on Health Services addressing the following concerns and issues:

**Aware** that Health Services is one of the most important devolved functions in the County and Nyandarua County has committed itself to improving and expanding its health facilities;

**Noting** that during the County's 2013/2014 financial year, Kamuchege Dispensary in Mirangine Ward was allocated Ksh.5,000,000, for construction till completion;

**Further** noting that the 5,000,000 was actually shared between Kamuchege and Kihuho dispensary with Ksh.2.2Million is being spent on constructing Kihuho Dispensary, and 2.0 Million being spent on constructing Kamuchege hospital and the balance of 800,000 Million having not been spent at all, despite having been allocated;

**Concerned** that the hospitals are yet to be fully constructed and efficiently operational and the executive claims that the 5,000,000 was to be spent on constructing and equipping the hospital;

I now wish to state address a statement from the chairperson committee on Health Services addressing issues:

- i. Whether the five million had been allocated for the construction and equipment of the said hospitals or for construction of the hospitals only;
- ii. What arrangements the Department is making to ensure that the two hospitals are constructed to completion.

Thank You Mr. Speaker Sir.

v. **Hon. David Ndirangu Ngigi(Member, Mirangine Ward)**

**Statement from Chairperson, Committee on Education, Labour and Social Services**

Mr. Speaker Sir, I hereby seek a statement from the Chairperson, Committee on Education, Labour and Social Services addressing the following concerns and issues:

Youth empowerment through education and training is a key element towards the achievement of vision 2030 goals in Kenya;

The County Governments have been tasked with the duty to ensure that youth polytechnic are constructed and running.

In view of that, aware that Mirangine Polytechnic had been allocated Ksh. 3,000,000 during the 2013/14 FY for construction of a dormitory;

Concerned that although the allocation had been done, the dormitory was not constructed and the same has not been allocated any money in the financial years coming thereafter;

I now seek a statement from the chairperson committee on Education, Labour and Social Services on addressing the following issue;

- i. Why the construction of the dormitory was not undertaken ;

- ii. Why has the department appeared to ignore the project despite the same having been identified as a key priority issue;
- iii. What plans the department is putting in place to ensure the dormitory is constructed.

Thank you Mr. Speaker Sir

**vi. Hon. David Ndirangu Ngigi(Member, Mirangine Ward)**

**Statement from Chairperson, Committee on Agriculture, Livestock and Fisheries**

Mr. Speaker Sir, I hereby seek a statement from the Chairperson, Committee on Agriculture, Livestock and Fisheries on the following concerns and issues;

Agriculture is the backbone of Nyandarua County's economy and the Nation at large and the matter is now devolved to county governments;

Nyandarua County has made efforts to improve animal husbandry and disease control through budgetary allocations particularly for construction and renovations of cattle dips;

During the 2014/2015 Financial Year, the following cattle dips in Mirangine Ward were to be renovated;

- i. Kagiri Cattle dip;
- ii. Wanjiku cattle dip;
- iii. Mirangine Cattle Dam Cattle dip;
- iv. Gitau Cattle dip;
- v. Kamuyu Cattle dip;
- vi. Gathiriga Cattle dip;
- vii. Nyandundo Cattle dip;and
- viii. Makara Cattle dip;

Mr. Speaker Sir, I request that the Chairperson of the said Committee does issues a statement in the Assembly addressing the following concerns

- i. The status of the renovation works done to the said cattle dips; and
- ii. The amount of money spent for renovating every cattle dip.

**vii. Hon. David Ndirangu Ngigi(Member, Mirangine Ward)**

**Statement from Chairperson, on Public Works Roads and Transport**

Mr. Speaker Sir, I hereby seek a statement from the Chairperson, Committee on Public Works, Roads and Transport on the following concerns and issues;

Recognizing the importance of road infrastructure in the development of county and the need to ensure that county roads are accessible and passable;

Further acknowledging that the county government has constantly made allocation for the construction and grading of county roads;

**Concerned** that the works done by contractors have to be of good standards and there is value for money for the roads constructed by constructors;

**Aware** that the following roads were constructed in Mirangine Ward in the 2014/2015 FY:

- i. Mathakwa to Githure road;
- ii. Bara Njeru road;and
- iii. CCM road.

Mr. Speaker I now pray that the Chairperson of Committee on Public Works, Roads and Transport does issue a statement in the Assembly addressing the following concerns:

- i. What was the cost of construction of one Kilometer of each of the road;
- ii. What was the bill of quantity of materials and other services required for each of the road;
- iii. How many kilometers of the each of the road was constructed;

Thank you Mr. Speaker Sir

viii. **Hon. Joyce Ng'ang'a (County Member, Magumu Ward)**

**Statement from Chairperson, Committee on Justice, Legal Affairs and Public Service**

Mr. Speaker Sir, I hereby seek a statement from Chairperson, Committee on Justice, Legal Affairs and Public Service concerning and addressing the following:

**Aware** that upon the promulgation of the Constitution of Kenya 2010 which envisaged various Human Rights and entitlements and that under Article 54 (2) the state is obliged to ensure the progressive implementation of the principle that at least five percent of the members of the public in elective and appointive bodies are persons with disabilities;

**Noting** that the County Public Service Board has been appointing and recruiting persons to fill various positions as employees of the County;

**Emphasizing** the need to implement the Constitution and uphold the national values and principles of governance including human dignity, equity, inclusiveness,



equality, human rights, non-discrimination, transparency and protection of the marginalized.

**Concerned** that the proportion of the persons with disabilities in the public service in the County is below the five percent stipulated by the Constitution as of right.

I now seek a statement from the Chairperson of the Committee on Justice, Legal Affairs and Public Service addressing the following issues:

- i. The number of the persons with disabilities in the public service in the county.
- ii. The proportion of the number of the persons with disabilities in the county against the total number of the persons in the public service.
- iii. Whether the county has realized the five percent constitutional requirement.
- iv. The measures put in place by the county to realize the five percent constitutional requirement.

Thank you Mr. Speaker Sir.

ix. **Hon. Samuel Mwangi Thuita (Member, Gathanji Ward)**

**Statement from Chairperson, Committee on Budget and Appropriation**

**Mr. Speaker Sir**, I hereby seek a statement from the Chairperson, Committee on Budget and Appropriation concerning and addressing the following:

**Aware** that a contract was awarded to improve the Laikipia University-Sinjui-Goodfall road which traverse Laikipia and Nyandarua County.

**Noting** that the quality of work done in relation to the aforementioned roads by the two contractors was shoddy and a waste of public money and further that on numerous occasions members of the public have raised their concern and outrage through the various radio stations claiming that there was shoddy work done in the aforementioned roads and demanding that the respective county governments do a fact finding mission to verify their assertions of poor workmanship of infrastructure.

**Emphasizing** that the fourth schedule of the Constitution has roads as one of the devolved functions in order to bring services closer to the people and ultimately have infrastructure improve significantly. Further noting that accountability has become a critical part of public governance, an element of public finance management.

**Bearing** in mind also that the National Government is responsible for National trunk roads while the County Governments are in charge of county roads, and

mindful of the fact that the criteria for identifying national or county roads is not spelt out.

**Concerned** that the apparent poor service rendered by the contractors is hindering transport of goods and services thus affecting the local economy and causing excess damages to vehicles and unnecessary waste of time.

I now seek a statement from the Chairperson of the Committee on Budget and Appropriation addressing the following issues:

- i. The identity of the contractors awarded the contract,
- ii. Whether the aforementioned contractors have any shared interests in the two companies,
- iii. The amount of work that was to be undertaken by the said contractors, and whether the amount of work was completed,
- iv. Whether the aforesaid contractors have been paid in relation to any of the works of the Laikipia University-Sinjui-Goodfall road, and if so, the amount of money paid therein, and,
- v. The means and modalities used to pay the contractors if they have been paid any money.

Thank you Mr. Speaker Sir,

#### 8. Motions and Bills

i. **Motion by Hon. Sammy D. Kamau (Chairperson, Joint Committee)**

Mr. Speaker Sir, I beg to move the following motion;

**That** this House does adopt the Report on the Interrogation of the Report on the Visit to Israel by a delegation from Nyandarua County by the Committee on Water, Environment and Natural Resources as a report of this House and the recommendations therein as resolutions of this House

Thank you Mr. Speaker.

ii. **Hon. Patriciah Wanjugu Njoroge (County Member, Karau Ward)**

Mr. Speaker Sir, I beg to move the following motion:

**Aware** that the National Government has in each financial year set aside funds for the purchase and distribution of subsidized fertilizers to farmers and the County Government has been distributing the said fertilizer to the farmers from designated places across the County;

**Noting** that the fertilizer has been of pivotal assistance to the farmers by reducing the cost of farming and many farmers in Nyandarua County have been seeking access to the subsidized fertilizer;

**Concerned** that the fertilizer distributed in the 2014/2015 Financial Year had negative effects and impact on crop growth and production and thus leading to reduced general output from farmers and economic loss to a majority of farmers;

**Further** concerned of the need to ensure that the fertilizer distributed to farmers meets the prescribed standards and does not negatively affect the growth and productivity of crops;

I now therefore urge this Assembly does resolve that the County Executive Committee Member for Agriculture, Livestock and Fisheries does urgently take samples of the fertilizer to the Government Chemist for analysis and look into ways of mitigating the problem including, if established that the fertilizer is inappropriate ,stopping any further distribution and sale of the fertilizer.

Thank you Mr. Speaker Sir.

**iii. Hon. James Kiiru Gachomba (Member for Njabini/Kiburu Ward)**

Mr. Speaker Sir, I beg to move the following motion:

**Aware** that the Constitution 2010, under Article 69(1) (b) requires the State to ensure that there is sustainable exploitation, utilization and management of the environment and natural resources and to ensure that there is equitable sharing of the accruing benefits;

**Noting** that Nyandarua County is endowed with water catchment areas and natural water which is a natural resource consumed in neighboring counties including Nairobi, Nakuru and Laikipia;

**Further** noting that there is constructed in Nyandarua County within the Kinangop Sub-County, the Sasumwa Dam for collecting and preserving water for consumption in Nairobi County and is managed by Nairobi Water and Sewerage Company.

**Concerned** that the water collected in the Dam and the monetary benefit accruing from the commercial sale thereof , is not shared with the people of Nyandarua County against the national principles on natural resources;

I now therefore I urge the Assembly to resolve that the County Department on Intergovernmental Relations, does institute appropriate steps towards ensuring that the people of Nyandarua County benefit from the water and monetary benefits accruing from the sale of water collected at Sasumwa Dam.