

REPUBLIC OF KENYA
SIAYA COUNTY ASSEMBLY
THE HANSARD

Second County Assembly - Second Session

Wednesday, 20th June, 2018

The House met at the County Assembly Chamber at 9.30 a.m.

[The Temporary Speaker (Hon. Opang'a) in the Chair]

PRAYER

QUORUM CALL AT THE COMMENCEMENT OF THE HOUSE

The Temporary Speaker (Hon. Opang'a): Hon. Members, seemingly we do not have quorum. Standing Order 31 (2) says that; if there is not a quorum present when the Chair is taken at the time appointed for a meeting of the Assembly immediately after the saying of the Prayer, the Speaker shall order the bell to be rung for five minutes, and if no quorum is present at the expiration of the five minutes, the Speaker may direct that the bell be rung for a further five minutes and if there is still no quorum present, the Speaker shall adjourn the House forthwith to the next sitting.

I therefore direct the Serjeant-at-Arms to ring the Quorum Bell for five minutes.

(The Quorum Bell was rung)

(Several Hon. Members walked into the House)

(Quorum confirmed)

PAPERS

Hon. Oor: Mr. Temporary Speaker, Sir, I wish to lay the following Papers on the Table of the House:-

1. County Government Budget Implementation Review Report for first half year FY 2016/2017.
2. County Government Budget Implementation Review Report for first half year FY 2017/2018.

The Temporary Speaker (Hon. Opang'a): The two Papers stand committed to the Budget Committee. Next Order!

STATEMENTS

1. REQUEST BY HON. OTIATO ON THE OPERATIONS OF KIWASH

Hon. Otiato: Thank you, Mr. Temporary Speaker, Sir. I wish to request for the following Statement:-

Pursuant to Standing Order 41 (2c), I rise to seek a Statement from the Chairperson of Committee on Water, Environment and Natural Resources on the operations of KIWASH (Kenya Integrated Water, Sanitation and Hygiene) Project in partnership with the County Government of Siaya on various water projects in Yimbo East Ward. In the Statement, the Chairperson should;

1. Explain why KIWASH has withdrawn their partnership and support to PENWA (*Pi En Ngima (Water is Life) Women's Association*)
2. Explain whether the PENWA water project in Yimbo East Ward has been audited before and highlight the key findings of the audit that might pose challenges to a seamless provision of services to the people of Yimbo East Ward.
3. Explain the measures the County Government of Siaya has put in place to ensure the continuity of the provision of services offered to the people of Yimbo East Ward under the KIWASH-PENWA- County Government partnership

2. REQUEST BY HON. OTIATO ON THE STATUS OF BOREHOLES IN YIMBO EAST WARD

Hon. Otiato: Mr. Temporary Speaker, Sir. I wish to request for the following Statement too:-

Pursuant to Standing Order 41 (2c), I rise to seek a Statement from the Chairperson of Committee on Water, Environment and Natural Resources on the operational status of public boreholes in Yimbo East Ward. In the Statement, the Chairperson should;

1. Provide details of the total number of public boreholes in Yimbo East Ward
2. Explain the reasons why the boreholes are not functional
3. Give concrete proposals and/plans the County Government of Siaya has to revive and/or repair all the public boreholes in Yimbo East Ward.

The Temporary Speaker (Hon. Opang'a): The two Statement requests are to be handled by the Committee on Water, Environment and Natural Resources. I can see Hon. Booker's hand. What is it?

Hon. Booker: Mr. Temporary Speaker, Sir, I would like to answer some of these questions outrightly. On the operations of KIWASH---

(Hon. Odongo rose on a point of order)

The Temporary Speaker (Hon. Opang'a): Yes, Hon. Andericus.

Hon. Odongo: Mr. Temporary Speaker, Sir, I would like to know whether it is in order for the Chair to do what he is doing yet we all know that the Statement should be handled by the Committee, not by him as an individual.

The Temporary Speaker (Hon. Opang'a): Hon. Andericus Oduor Odongo, as the Chairperson of the Water Committee, he has the mandate to answer the questions he can answer, but those he can't handle or Hon. Otiato is dissatisfied with the answers, then there is a Department of Water that will give a more elaborate answer on the same. I think so.

Hon. Booker: Thank you so much, Mr. Temporary Speaker, Sir, for protecting me. I was just trying to help the Hon. Member. On the operations of KIWASH, the County Government always gives a list to the organisation because it is donor funded. It is their prerogative to choose from the list they are given. They may be given a list of projects from 20 Wards and they decide to pick only two. That's their prerogative.

Secondly is about KIWASH withdrawing from East Yimbo Ward. What they do is that after being given a list of projects and let's say they choose East Yimbo Ward, they will do an ecological survey, ascertain the depth and thereafter sink the borehole. After that, they will do pump testing to ascertain the quality and the quantity of water.

So, if they find that the quality and quantity of water therein is not something they can fund, then they will withdraw on their own. They will not even share with the County Government. That scenario was witnessed in Uyoma Ward where they sunk a borehole, did the pump testing, but when they found that the quality of water was not fit for human consumption, they just withdrew. They did not even consult the County Government.

Regarding the boreholes in East Yimbo Ward; some of the boreholes there were privately sunk and I would like to request the Hon. Member that for me to help him and because I am a ground water technologist, he should go and get me the borehole designs so that I can ascertain whether they are dry wells. If they are dry wells and the depth of the

borehole does not support the dryness, I will advise the Water Department or the Hon. Member to allocate funds to the borehole so that we flash it.

(Hon. Odhiambo rose on a point of order)

The Temporary Speaker (Hon. Opang'a): What is it, Hon. Edwin?

Hon. Odhiambo: Mr. Temporary Speaker, Sir, I think the Hon. Member for Yimbo East was very clear in the second question. He just wanted to know the status of public boreholes in East Yimbo Ward. I think it's now the responsibility of the Chair plus his team to investigate and bring a report.

Hon. Booker: Mr. Temporary Speaker, Sir, from what the Hon. Member said, some of the private boreholes are not functioning. I am trying to advise the Hon Member that ---

The Temporary Speaker (Hon. Opang'a): Hon. Booker, you are out of order! The Statement was a bit clear and he has not ascertained that ---

Hon. Booker: .. he allocates funds for the borehole so that we can do drilling if the borehole doesn't fit the Hon. Member we are going to fix and flash it.

The Temporary Speaker: Yes, what is it, Hon. Odhiambo?

Hon. Odhiambo: Thank you, Mr. Temporary Speaker, Sir; I think the Hon. Member for Yimbo East was very much clear about the second question. He just wants to know the status of public boreholes in East Yimbo Ward; I think it's now the responsibility of the Chair plus his team to investigate about this and bring back the Report.

Hon. Booker: Thank you, very much Mr. Temporary Speaker, Sir; the status of the public boreholes in Yimbo as I am stating now from the Hon. Member; he is saying some of the boreholes are not functioning and I'm trying to advice the Hon. Member.

The Temporary Speaker: Hon. Booker, you are out of Order! The Statement was a bit clear and he has not ascertained that they are functioning or not functioning. You cannot answer on his behalf that you know they are not functioning; maybe he has a different opinion on what we wanted to know and on that issue as through the Chair, Hon. Otiato; do you have anything to respond to?

Hon. Otiato: Thank you, Mr. Temporary Speaker, Sir; I have lacked words that's why I was seated here and I was about to doze off because I wasn't getting what the Chair of Water Committee is telling me on this matter.

As an elected leader I don't think its part of my duty to go and ascertain the depth of boreholes; my work is clear that I'm to oversight, I'm to see that the services were delivered that the public money was spent on this particular project. Reasons to why to why they are not functioning is not my duty; they need to explain to me.

The Chairman should not abdicate his duty by referring me to go and measure the depth of a borehole. That's why my question is very clear on part three; proposals and plans that the County has to revive these boreholes; some of them are not functioning. The Chairman is referring to one borehole which is functioning but it's a private borehole.

Why is it that the public boreholes cannot function in Yimbo East; it is him who is the Chair plus his Committee needs to go and measure the depth and bring a proposal that in Barokwiri we found the depth is to be this and this was the problem. That is what I'm waiting for, Mr. Chair do your duty. When I'm talking about Penwa; I know possibly Mr. Chair has not taken his time to know what Penwa is all about. This is a project which was funded by USAID; at the back of my mind when I'm asking these questions I have had reasons to believe that the donation of thousands of water litres was withdrawn because of un-cooperation between the management of Penwa Water project.

Technically there is a management issue and therefore that is why I'm asking about the audit and if management is not responsible then there must be questions. Why are they not responsible? Why don't they want to do it with donors who will be asking questions about accountability?

Why do they hide? In my thinking is that I was waiting that the Chair gets a direction with the donors and let them do it in writing explaining why they withdrew; from there now the other question will be answered. If they withdrew because of poor management or lack of cooperation from management then has the department of Water done any audit because why should I hide if I'm asked about the accountability question. You move forward to give me a detail of whether it has been audited or not, how much are they making?

The Temporary Speaker: Hon. Booker; the Report and the Statement from the Hon Otiato, we want a comprehensive Report. As the Chair Water and the relevant County department; after how long should we expect this Report?

Hon. Booker: Thank you, very much Mr. Temporary Speaker, Sir; allow me to help the House as pertaining boreholes. There are many problems facing Siaya County as pertaining drilling of boreholes; allow me to advice every Hon. Member including Hon. Otiato that when I received this Statement I consulted with the Water department of the County Government of Siaya. They were training to tell me ...

Hon. Odongo: Point of Order, Mr. Temporary Speaker, Sir! It means that the Statement that has been read here today was received prior to this House or what is the Chairman telling the House? We have received the Statement today and he has already consulted?

Hon. Booker: Allow me to tell the Hon. Member that has just stood up that we came here very early and we were reading this Statement and if it concerns me I also have to consult before I answer these questions.

Allow me to tell the Hon. Member for Yimbo East that there is no borehole that has been sunk in Yimbo East which was funded by the County Government but I really wanted to advice the Hon. Member that we could help each other...

Hon. Odongo: Mr. Temporary Speaker, Sir; allow me to interrupt. The Chair for Water is misleading the House. We have many Chairs in this House and Chair for Water should know the procedure and our Standing Orders but when the Temporary Speaker, states clearly that the Statement stands committed to the committee of Water. Let the Statement be committed to the Water Committee and let's get a good Report.

The Temporary Speaker: Hon. Otiato, take your seat. I will rule on the matter. Hon. Members we know Hon. Booker has some knowledge on water but as a County government there are people who are mandated to do that job. Hon. Otiato. What is it?

Hon. Otiato: Mr. Temporary Speaker, I'm afraid that my Statement won't get properly addressed because before me putting the question in the Assembly and there is already defense. A Chairman who is supposed to be helping me answer the questions is telling me that there is no water project funded in Yimbo East; in short he is saying that there is nothing he going to do about it.

The Temporary Speaker: Hon. Otiato; take your seat.

Hon. Otiato: Can I just finish. We have over five boreholes which were served whether by National government or whatever arm of the government which did it, it was done by the Public's money and we must know why these particular projects are not functioning. These boreholes we have others; yes we were funded by National government. In Balokwiri, we have a borehole which was funded by the County government and in Kasa we have a borehole which was funded by National government, in Nyamonye we have a borehole. I fear that this Hon. Chair is not going to address my question and solve this issue.

The Temporary Speaker: Hon. Otiato; take your seat. On that issue I want to assure you as the Chair; the issue will be sort out conclusively. Take your seat Hon. Booker and one thing I want to tell you is that Hon. Booker will not present to us his Report. It will be a collective Report with some attachments from the department that will enable you verify and be satisfied. It won't be Hon. Booker responding to you. He will only be acting on behalf of other people. Next Order!

Hon. Members, would you be up standing for adjournment.

ADJOURNMENT

The Temporary Speaker: There being no any other business, this House stands adjourned until today at 2.30 p.m. in the Chamber.

The House rose at 10.00 a. m.