

**REPUBLIC OF KENYA**  
**COUNTY ASSEMBLY OF LAIKIPIA**  
**THE HANSARD**

**Wednesday, 15<sup>th</sup> November, 2023**

*The House met at the Assembly Chambers at 2.30 p.m.*

*[The Speaker (Hon. Lantano Nabaala) in the Chair]*

PRAYERS

QUORUM CALL

**Speaker:** Clerk, confirm if we have the quorum.

*(Lack of quorum confirmed)*

**Speaker:** Without quorum, I direct that the bell be rang for ten minutes.

*(Quorum bell rang for ten minutes)*

**Speaker:** Clerk, confirm if we have the quorum.

*(Lack of quorum confirmed)*

**Speaker:** Thank you. I will allow the bell to ring for another ten minutes.

*(Quorum bell rang for seven minutes)*

**Speaker:** Clerk, confirm if we have the quorum now.

*(Clerk confirmed the achievement of Quorum)*

**Speaker:** With the quorum now, we shall proceed to the order of the day.

PAPER LAID

VETTING REPORT OF MR. JOSEPHAT LODI LEKAMARIO, NOMINEE FOR SECRETARY/CEO TO LCPSB

**Hon. Paul Leshuel:** Thank you, Mr. Speaker. I beg to table the report on the vetting of Mr. Josephat Lodi Lekamario nominee to the position of the County Secretary Secretary/CEO to the Laikipia County Public Service Board.

*(Hon. Paul Leshuel laid the Paper on the Table)*

NOTICE OF MOTION

VETTING REPORT OF MR. JOSEPHAT LODI LEKAMARIO, NOMINEE FOR SECRETARY/CEO TO LCPSB

**Hon. Paul Leshuel:** Thank you, Mr. Speaker. I beg to give notice of the following motion;

THAT TAKING INTO CONSIDERATION the findings of the Sectoral Committee on Labour, Social Welfare and Community Services in its report on the vetting of the nominee for Appointment to the Office of Secretary/CEO, Laikipia County Public Service Board and pursuant to the provisions of Section 58(1c) and Sections 4 and 9 of the Public Appointments (County Assemblies Approval) Act, 2017;

This House APPROVES the appointment of Mr. Josephat Lodi Lekamario as Secretary/CEO to the Laikipia County Public Service Board.

Thank you.

### MOTION

#### FUNDS FOR REHABILITATION OF ROADS AFTER THE EL-NINO RAINS

**Speaker:** I cannot see Hon. Mugweru. I wonder if he delegated this to another Member?

**Hon. Catherine Umija:** Thank you, Mr. Speaker. On behalf of Hon. Mugweru, I beg to move the following motion;

THAT NOTING THAT El-Nino is a climate phenomenon characterized by periodic warming of sea surface temperatures in the central and eastern equatorial Pacific Ocean and this above average warming of the ocean temperatures causes changes in weather patterns, such as increased rainfall in the East African region;

FURTHER NOTING THAT the El-Nino rains have begun across the country and have caused tremendous damages including deaths through flash floods in various parts of the country;

AWARE THAT during extreme weather events transport infrastructure can be directly or indirectly damaged, posing a threat to human safety, and causing significant disruption and associated economic and social impacts;

FURTHER AWARE THAT heavy rain usually causes overland flow that result in drainage systems exceeding their capacity, and therefore increasing the likelihood of being blocked by debris and trash;

COGNIZANT of the fact that flood events affect the transportation network and its connectivity by reducing, deviating, or cancelling travel for passengers, goods, and services due to roads being submerged, closed and unsafe for travel;

This Assembly URGES the County Government to set aside Kshs 30Million emergency funds to be distributed at Kshs. 2 million per ward for rehabilitation of all roads that will be damaged by the effects of El-Nino rains.

Mr. Speaker, just as Hon. Mugweru had earlier given a notice of this motion in regards to rehabilitation of roads because of the El-Nino rains, we have noted that there has been frequent rainfall. The frequency of the rainfall within Laikipia County have been in the morning, afternoon and throughout the day. Mr. Speaker, I live here and it is not pretty. The roads are cracking.

In the next one week, I know if these rainfalls continue, I will be calling for emergency air lifting from my residential place to come here to work because the roads are now becoming impassable. Part of the emergency funds should be repairing of these roads. It is not only me coming to work but remember that this situation will affect the people who are sick who need to go to the hospital. We have pregnant mothers who will be using the same roads.

We need this money to be set aside for every ward. In the event that these roads are damaged, then we will be able to repair them as quickly as possible because it is an emergency situation. This is an emergency situation and I know the National Government has been telling us that the El-Nino rains are coming. The El-Nino rains are here with us. It is the high time that

we set these funds aside for our roads so that in the events of flooding, we shall still have our roads intact. We can also repair the roads on time.

Just as the Swahili saying that goes '*usipoziba ufa, utajenga ukuta*, then we need to repair before we build. Thank you, Mr. Speaker. I invite Hon. Leila to second the motion.

*(Hon. Leila Hussein seconded)*

*(Question proposed)*

**Speaker:** Thank you, Hon. Members. The floor is open for debate. Hon. Leshuel.

**Hon. Paul Leshuel:** Thank you, Mr. Speaker. I stand to support the motion. It is true that we have a lot of rains in Laikipia. If we do not take measures today, we may take the measures when it is too bad. The importance of emergency is this time. We want to urge the County Government to take seriously matters of emergency so that we can secure the roads in our county and other issues that will be caused by rains.

Mr. Speaker, it is very important to consider the emergency and to spread this across the departments so that if there is any department that has a problem, there will be emergency funds to take care of it. Mr. Speaker, this is a very important motion. We shall follow to make sure that during the Supplementary Budget, it will be captured so that we take care of our people. Mr. Speaker, I support. Thank you.

**Speaker:** Thank you, Hon. Shuel. As I read the mood of the floor perhaps, I will give the mover to make a reply.

**Hon. Catherine Umija:** Thank you Mr. Speaker and the House for supporting this motion. I know it is going to be of importance especially to the particular roads that will be affected that there will be some money that will be set aside for them to do the repair in the event there will damages that will occur. I thank you the whole house. Thanks.

*(Question put and agreed to)*

## MOTION

VETTING REPORT OF MR. JOSEPHAT LODI LEKAMARIO, NOMINEE FOR SECRETARY/CEO TO LCPSB

**Hon. Paul Leshuel:** Thank you Mr. Speaker. I beg to move the following motion;

THAT, taking into consideration the findings of the Sectoral Committee on Labour, Social Welfare and Community Services in its report on the vetting of the nominee for Appointment to the Office of Secretary/CEO, Laikipia County Public Service Board and pursuant to the provisions of Section 58(1c) and Sections 4 and 9 of the Public Appointments (County Assemblies Approval) Act, 2017, this House approves the appointment of Mr. Josephat Lodi Lekamario as Secretary/CEO to the Laikipia County Public Service Board.

Mr. Speaker, we have a report for nominee. Because I know Members have this report, I just want to highlight some areas for clarity. I want to go directly to the mandate of the committee. The Sectoral Committee on Labour, Social Welfare and Community Service committee is mandated to look into all matters relating to labour, trade union relations, manpower or human resource planning, gender, culture and social welfare. The Committee as currently constituted, comprises of the following members: -

1. Hon. Irene Wachuka - Chairperson

2. Hon. Eunice Salaten - Vice-Chairperson
3. Hon. Catherine Umija - Member
4. Hon. Caroline Kihika - Member
5. Hon. Nicholas Mwaniki - Member
6. Hon. Stephen Ndiritu - Member
7. Hon. Paul Leshuel - Member

The Committee held two Sittings; one to prepare for the vetting schedule and the other in which the nominee appeared and were each vetted in accordance with the Public Appointments (County Assemblies Approval) Act, 2017 for appointment as the Secretary/CEO to the Laikipia County Public Service Board (LCPSB).

I take this opportunity to thank all Members of this Committee for their input and valuable contributions during the vetting exercise. The Committee also takes this opportunity to thank the Offices of the Speaker and that of the Clerk of the County Assembly for the support accorded during the vetting exercise.

Section 4 of the Public Appointments (County Assemblies Approval) Act, 2017 stipulates that an Appointment under the Constitution or any other law for which the approval of a County Assembly is required shall not be made unless the Appointment is approved by the relevant County Assembly in accordance with this Act.

It is important to note that Section 10(1) of the Public Appointments (County Assemblies Approval) Act, 2017 provides that, *'where the nomination of a candidate is rejected by a County Assembly, the appointing authority shall submit to the County Assembly the name of another candidate, and the procedure for approval specified in this Act shall apply accordingly.'*

Appointment process of Mr. Josephat Lodi Lekamario as the Secretary/CEO to the Laikipia County Public Service Board (LCPSB). Pursuant to Section 58A (7) of the County Government, as amended by the Act No. 11 of 2020, H.E. the Governor, forwarded to the Clerk of the County Assembly, the names of the nominee vide a letter (Reference Number: CGL/GVN/CI/23/05), dated 26<sup>th</sup> October, 2023 for vetting and approval by the County Assembly for Appointment as the Secretary/CEO to the Laikipia County Service Board (LCPSB).

On 26<sup>th</sup> October, 2023, the Hon. Speaker through a Communication informed the House that the Clerk of the County Assembly had received the details of the above nominee and directed that the name and Curriculum Vitae of the said nominees be referred to the Labour, Social Welfare and Community Services Committee for vetting and reporting to the House.

Section 6(2) of the Public Appointments (County Assemblies Approval) Act, 2017 provides that, *"An appointing authority shall, in issuing a notice under subsection (1), notify the members of the public on the proposed nomination through such media and platforms established under Section 91 of the County Governments Act as it considers appropriate"*.

On Friday 3<sup>rd</sup> November, 2023, (*Annexure I*) the Clerk of the County Assembly placed an advertisement in the print media inviting the public to submit memoranda by way of written statement on oath (sworn affidavit) on the suitability or otherwise of the nominee. The submissions were to be received by Thursday, 9<sup>th</sup> November, 2023.

Pursuant to provisions of Article 196 of the Constitution, Section 6(4) of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 46(3), the general public was also notified in the print media by the Clerk of the County Assembly of the intention by the Committee to conduct the vetting and approval hearings of the nominees on Tuesday 14<sup>th</sup> November, 2023.

Pursuant to section 7(3) of the Public Appointments (County Assemblies Approval) Act, 2017 the approval hearing for the said Nominees took place on the Tuesday 14<sup>th</sup> November, 2023 at the County Assembly Chamber.

### **Submission of the Memoranda**

Pursuant to Section 7(10) of the Public Appointments (County Assemblies Approval) Act, 2017, the Committee invited submissions from the public on the suitability or otherwise of the nominees for Appointment as the Secretary to the Laikipia County Public Service Board.

### **Issues for consideration during the approval hearing**

The Committee observed that the issues for consideration in relation to the nomination and approval exercise are as provided under Section 8 of the Public Appointments (County Assemblies Approval) Act, 2017, as follows: -

- The procedure used to arrive at the nominees;
- The constitutional and statutory requirements relating to the office in question; and
- The suitability of the nominee for the appointment proposed.

The Labour, Social Services and Community Services Committee agreed on the following –

- To have the public notice in the papers on 3<sup>rd</sup> November, 2023;
- To receive the documents from the nominees and memoranda from the public by 09<sup>th</sup> November, 2023.
- To undertake vetting of the nominees on Tuesday 14<sup>th</sup> November 2023.
- To conduct the vetting process while examining the nominees against the provisions of the Constitution of Kenya, the County Government (Amendment) Act, 2020 and the Public Appointments (County Assemblies Approval) Act, 2017.

The committee held a sitting on Tuesday 14<sup>th</sup> November, 2023 to deliberate on the approval hearing and the following were highlighted: -

That, by the deadline date of 9<sup>th</sup> November, 2023, the Clerk of the County Assembly had received a duly filled questionnaire by the nominee.

Mr. Speaker, according to the vetting process, the Committee examined the nominee against the following criteria, amongst others, in accordance with the County Governments Act and the Public Appointments (County Assemblies Approval) Act, 2017.

1. Academic qualifications
2. Employment record

3. Professional affiliations
4. Potential conflict of interest
5. Knowledge of the relevant subject
6. Overall suitability for the position
7. Tax compliance
8. Integrity
9. Vision and leadership; and
10. Expectations and key priorities

The nominee appeared before the Committee on Tuesday 14<sup>th</sup> November, 2023. By the deadline of Thursday 9<sup>th</sup> November, 2023, the Committee had received one memorandum. The nominee was then orally vetted under oath and responded to questions during the vetting as follows:

### **Self-introduction and Educational Background**

The nominee is a Kenyan male born on 23<sup>rd</sup> June 1985 in Sosian. He is a holder of MSc Commerce (Finance and Accounting) from KCA University. He holds a Bachelor's Degree in Business Administration (Accounting) from KEMU University. He is a Certified Public Accountant and a member of the Institute of Certified Public Accountants of Kenya. He is also a Certified Secretary, and a member of the Institute of Certified Public Secretaries of Kenya. He is currently pursuing his second Masters in Public Policy and Management at Moi University.

### **Professional Background**

The nominee stated that he has worked in the public service for the last approximately ten years. He has worked in the following entities;

- County Government of Samburu as the Secretary/CEO Samburu County Public Service Board from 2018 to Date.
- County Government of Samburu as a Principal Accountant from 2014 to 2018.
- Greter Systems and Solutions LTD as a Consultant from 2010 to 2014.
- Supa Sacco as an Accounts Assistant to 2009 to 2010.

Mr. Speaker, I just want to go to the areas that are important so that I don't take time because I know that the Members have got the report with them and it is a huge document. Let me go to the observations.

### **Committee's Observations**

The Committee having considered the nominee's Curriculum Vitae and heard his oral submission, and made the following observations: -

1. That, the nominee had satisfied the requirements of Chapter 6 of the Constitution of Kenya.
2. That, he had been cleared by the Criminal Investigation Department (CID).



3. That, in accordance with Article 78(1) (2) of the Constitution of Kenya and Section 35(3) and 35(4) of the County Government Act, he is a Kenyan citizen and does not hold dual citizenship and is therefore fit to hold office as the Secretary/CEO Laikipia County Public Service Board (LCPSB);
4. That, his academic credentials, and experience are impressive and in compliance with Section 7(8) of the Public Appointments (County Assemblies Approval) Act, 2017;
5. That, he has never been charged in a Court of Law.
6. That, as stipulated in Article 75(1) of the Constitution, he has no potential conflict of interest;
7. That, he satisfies the requirements of Article 77(1) of the Constitution of Kenya, 2010 in that he does not intend to participate in any other gainful employment;
8. That, he had never been dismissed from office for contravention of the provisions of Public Officer Ethics act which deals with conduct of public officers.
9. That, he had not been adversely mentioned in any investigatory report of County Assembly or any Commission of Inquiry.
10. That, he is not a member of any political party neither does he hold any political office.
11. That, he is professionally associated to the Institute of Certified Public Accountants of Kenya (ICPAK) and Institute of Certified Secretaries (ICS)
12. That, the nominee exhibited impressive knowledge of topical issues touching on the Laikipia County Public Service Board and had the requisite abilities, qualifications and experience.

### **Committee's Recommendation**

Mr. Speaker, Pursuant to Section 58A (8) of the County Governments (Amendment) Act, 2020 and Standing Order No. 191 (5) (f), the Committee recommends that this House Approves the nomination of Mr. Josephat Lodi Lekamario, appointed by H.E the Governor as the Secretary/CEO to the Laikipia County Public Service Board.

Mr. Speaker, we recommend that the nominee is suitable and we humbly ask the House to approve his name so that we will have Lekamario as a secretary to the service board. As a committee we interviewed the nominee and found him suitable. I want to humbly request the Chairperson to second this report.

**Hon. Irene Wachuka:** Asante, Bwana Spika. Kwanza nashukuru Kamati ya Utendakazi ambayo iliketi chini na kuonelea ya kwamba Bwana Josephat Lodi Lekamario anafaa kuwa katibu wa bodi la uajiri la Kaunti ya Laikipia. Walifanya kazi ngumu kutafuta mtu kama huyu lakini nawashukuru. Tunakushukuru pia Spika kwa kusimama na hili Bunge na kuona ya kwamba mambo yanaendelea inavyostahili. Kwa hivyo naunga mkono na kuuliza Wajumbe waunge kijana ambaye ni Josphat Lodi Lekamario.

*(Question proposed)*

**Speaker:** Hon. Members, I open the floor for debate in regards to this report.

**Hon. Nicholas Lempaira:** Thank you, Mr. Speaker. I rise in support of the motion although I went through the committee's recommendations and I discovered that there are two conflicting things and they need to put them straight to avoid doubts from the public.

When you look at recommendation number 7, that it satisfies the requirements of Article 77 (1) of the Constitution of Kenya, 2010, that he does not intend to participate in any other gainful employment. When you look at his history, he is still working with the County Government of Samburu, so those are two very conflicting reports.

It needs to be clear if he has resigned because if he has not resigned up to date, then I do not think we have any business with him. It has to indicate clearly if he has resigned because if you tell us that he is still working at Samburu County up to date and at the same time we are saying that he is not going to benefit through any other gainful employment, then we are presenting two pieces of conflicting information.

Away from that, it is my observation that this is a Laikipian, born in Laikipia and he deserves to be given the opportunity. We want to appreciate the Labour Committee which sat down and went through the application process and were given this name to bring before us. It is good to note that he is also a youth and we support him for the position that he has been given. We are also expecting that as he comes in, he comes to represent the interests of Laikipians and especially the minority who, according to the audit reports, has not been well represented in the employment Board of Laikipia.

So, it is my humble request that as he comes in, he comes bearing in mind that he is representing the minority and the youth who are actually the most unemployed category within Laikipia. Let him come with an open mind that he has a lot to do. I have also seen that he has said that he is going to make sure there are promotions in the Department of Health which is a big issue to discuss.

As a Chair of the Health Committee, I am aware that we have quite a number of people who are still on casual basis but need to be on the same status with the rest of their colleagues. He has to come bearing in mind that the wage bill is high so having more people promoted will just increase the wage bill. He needs to work closely with the Labour Committee to ensure that some of the things we are underlining here are addressed in the best possible way.

Unfortunately, some of these people are angels when seeking jobs but when we approve them, they become unavailable, busy and untouchable. As a House, we need to seriously come up with measures where we can have a session of having these people appearing before us. Instead of summoning a CECM or CO every now and then, let us have us a question-and-answer session perhaps once a week with them.

We have a lot of things that are pending and that we debate in this House and pass but the implementation part is an issue that is worrying some of us here. We come here, debate things and pass them, so we have a lot of issues to discuss as a House. Therefore, I want to give my support for this motion and for Lekamario Lodi to come in and serve the people of Laikipia although the report needs to be corrected. Thank you.

**Speaker:** Thank you Hon. Lempaira for your robust contribution. I want to give this chance to Hon. Benson.

**Hon. Benson Kuria:** Asante Bwana Spika kwa hii nafasi ambayo umenikabidhi kuunga huu mswada mkono na vilevile kuukosoa. Nikiangalia kwenye ukurasa wa kumi na saba naona ya kwamba Waheshimiwa walioketi pale wakiongozwa na Mwenyekiti, Irene; Mheshimiwa Eunice, Mheshimiwa Stephen Ndiritu hakuwepo, Mheshimiwa Catherine Umija



alikuwa. Mheshimiwa Caroline Kihika hakuwa, Mheshimiwa Nicholas Mwaniki alikuwepo na Mheshimiwa Paul Leshuel alikuwepo. Kuna tashwishi kidogo hapo kwa sababu katika Jimbo letu la Laikipia, kuna watu wengi ambao ni wasomi na wasanii.

Sijui waliwezaje kuangalia kwa undani kwa sababu ukiangalia katika ukurasa wa sita utapata ya kwamba lazima yeye mwenyewe kwanza aliweka sahihi ili aweze kufanya kazi katika Jimbo letu la Laikipia. Ni sawa lakini ningependa kamati iweze kujua ya kwamba hata kama tunaunga mkono, mahali pale si pazuri kwa sababu katika jimbo letu kuna watu wengi ambao wanafanya kazi. Angekuwa amekaa mahali pale akifanya kazi yake na hio nafasi ishikiliwe na mwingine. Nashukuru kwa hii nafasi na kuunga mswada mkono. Asante.

**Speaker:** Thank you very much. Allow me to give to the Mover of the motion to reply to the motion.

**Hon. Paul Leshuel:** Thank you, Mr. Speaker. I want to thank the Members for their contributions and support. It is true that there is a small error there. We want to apologize as a committee, and we are going to change that part. He is working in Samburu as he said but he is in the process of resigning because he wants to be sure that he will get this job. As you know, that is the process. So, if we approve the name today, the resignation letter will probably be here tomorrow or at the Samburu County.

Mr. Speaker, I want to say that this guy is suitable for this position. Sometimes when you give a person a position they present a different face, but we are expecting him to deliver in his duties because we have a lot to do especially in terms of the wage bill. Our wage bill today is 48% and according to the law it is supposed to be 35%. So, he has a lot to do to reduce that number. I want to thank Members and tell them that we have a very vibrant person. If he can work according to the experience that he has, he will bring change. Thank you, and I thank them for that.

**Speaker:** Thank you, Hon. Shuel for this motion.

*(Question put and agreed to)*

### ADJOURNMENT

**Speaker:** The sittings of this House now stand adjourned until tomorrow, Thursday 16<sup>th</sup> November, 2023 at 2.30 p.m.

The House rose at 3.35 p.m.