

COUNTY GOVERNMENT OF BOMET



THE COUNTY ASSEMBLY

FIRST ASSEMBLY: THIRD SESSION REPORT OF THE ADHOC COMMITTEE ON THE PETITION RAISED BY REV.AMBROSE KIMUTAI TONUI OVER ALLEGATIONS OF CORRUPTION IN BOMET COUNTY

SEPTEMBER, 2015

*Tabled on
6/10/2015
[Signature]*



TABLE OF CONTENTS

Table of Contents.....	i
List of Acronyms/Abbreviations	iv
Acknowledgement	v
Membership and ownership of the report.....	vi
Executive Summary	vii
1.0 Background	1
1.1 Committee meetings.....	2
1.2 Taking of evidence.....	2
1.3 Prayers of the petitioner	4
1.4 Legal Framework.....	5
1.5 Subjects of investigation and inquiry by the Committee.	8
2.0 The alleged cancer of corruption in Bomet County	9
2.1 The Controller of Budget Report for the year 2013/14.....	9
2.2 The Controller of Budget Report of the 3 rd Quarter of FY 2014/15.	11
2.3 The Auditor General Report on the financial operations in Bomet County.....	12
2.3.1 Bomet County Executive.	12
2.3.1.1 Cash and Bank Balances	13
2.3.1.2 Debtors Balances	13
2.3.1.3 Creditors.....	14
2.3.1.4 Non-Current Assets.....	14
2.3.1.5 Human Resources.....	15
2.3.1.6 ICT/IFMIS.....	16
2.3.2 The Defunct County Council of Bomet.	16

2.3.2.1 Cash and Cash equivalent.....	16
2.3.2.2 Revenue	16
2.3.2.3 Human Resources.....	16
2.3.3 Defunct Municipal Council of Bomet.....	17
2.3.3.1 Cash and Cash equivalent.....	17
2.3.3.2 Debtors	17
2.3.3.3 Revenue	17
2.3.3.4. Human Resources.....	17
2.3.4 The Defunct Town Council of Sotik	17
2.3.4.1 Cash and Bank Equivalent.....	17
2.3.4.2 Revenue	18
2.3.4.3 Human Resources.....	18
2.3.4.4 Land	18
2.4 Ethics and Anti-corruption Commission Report (EACC)	18
2.5 The County Integrated Development Plan.....	23
2.6 Report on Overdraft	24
2.7 Blockage of Funds allocated to Bomet County during F/Y 2014/15	27
2.8 Challenges experienced by the Committee.....	27
2.9 Conclusion and Recommendations	28

Annexure

Annex I: Minutes of Committee meetings.

Annex II: Letter from the executive committee member for Finance and Economic Planning over inquiry on the blockage of Bomet County Funds.

Annex III: Letters of response from the CEC for Roads, Transport and Public Works.

Annex IV: Letters of response from the Chief Officer for Roads, Transport and Public Works

Annex V: Reports

- i. Controller of Budget Annual report for 2013/14.*
- ii. Controller of Budget report for the 3rd quarter of 2014/15.*
- iii. Budget and Appropriation Committee report on the findings and recommendations of the Controller of Budget.*
- iv. Report of The Auditor General on the financial operations of Bomet County Government during Transition period of 1st January-June 30th 2013.*
- v. PAC/PIC Committee report on the financial operations of Bomet County during the transition period (1st January-30th June 2013).*
- vi. EACC Report on the current status of corruption matters under investigations to the presidency.*
- vii. County Integrated Development Plan approved by the County Assembly. (C.I.D.P 2013-2017).*
- viii. County Integrated Development Plan launched by the County executive (C.I.D.P 2013-2017).*
- ix. Finance, ICT and Economic Planning Committee Report on the First Integrated Development Plan.*
- x. Annual Development Plan for 2015/16*
- xi. Report on Overdraft facility accessed by County Government of Bomet.*
- xii. Labour and Public Service Committee Report on complaints over staff recruitment and establishment.*

List of Acronyms/Abbreviations

ADP-Annual Development Plan

CEC-County Executive Committee Member

CIDP-County Annual Development Plan

EACC-Ethics and Anticorruption Commission

FY-Financial Year

PAC/PIC-Public Accounts/Public Investments Committee

ICT-Information Communication Technology

ECDE-Early Childhood and Development Education

COB-Controller of Budget

IFMIS- Integrated Financial Management Information System.

PFM Act- Public Finance Management Act.

TA-Transitional Authority

GIS-Geographic Information System

Acknowledgement

Mr. Speaker Sir,

The Adhoc Committee is grateful to the Offices of the Speaker and the Clerk of the County Assembly for the support received as it discharged its mandate of analysing and recommending on the pertinent issues pointed out by the petitioner. On the same note, allow me Mr. Speaker to thank the entire Membership of this Committee for their dedication towards the production of this report.

Membership and ownership of the report
Mr. Speaker Sir,

We, Honourable Members of the Committee, do hereby append our signatures to this report to affirm our approval and confirm its accuracy, validity and authenticity:-

No.	Name	Position	Signature
1.	Hon. Aurelia Chepkirui	Chairperson	AKE
2.	Hon. Leonard Kirui	Vice Chairperson	Signature
3.	Hon. Christopher Ngeno	Member	Signature
4.	Hon. Reuben Langat	Member	Signature
5.	Hon. Samson Towett	Member	Signature
6.	Hon. Leah Kirui	Member	Signature
7.	Hon. John Molel	Member	Signature

Mr. Speaker Sir,

It is therefore my pleasant duty and privilege, on behalf of this Committee to table this report on the petition of Rev.Fr Ambrose Kimutai Tonui of Holy Spirit Catholic Parish-Segemik.

Signed AKE **Date** 5/10/2015

Hon. Aurelia Chepkirui

Chairperson of the Adhoc Committee

Executive Summary

Mr. Speaker Sir,

Rev. Fr. Ambrose Kimutai Tonui of Holy Spirit Catholic Parish-Segemik submitted a petition to the County Assembly on 8th April, 2015 whose terms of reference were allegations of corruption in Bomet County Government. The petitioner was concerned over the increased political tension among elected leaders of Bomet County, the divisions among the residents of the county, investors shying away from investing in our County due to corruption cases. He was also concerned on the dignity of the people of Bomet County which he felt has been damaged nationally and internationally. Finally, the petitioner was concerned over the development of Bomet County after the projects that were going on very first appeared to have slowed down. The petitioner pointed out that it seems money for development may have been blocked by the National Government.

The aims of the petition as outlined in the prayers were to;

1. Debate soberly and sincerely the cancer of corruption in Bomet County.
2. Table and make public CIDP of Bomet County since 2013 to date.
3. Table and make public recommendations and directives issued to the executive arm of the Government of Bomet on the expenditure by the County Assembly of Bomet.

4. Table and make public all reports of the Auditor General in respect to Bomet County for the periods starting 4th March 2013 to date.
5. Table and make public the EACC reports on the list of shame of all corrupt state officers which was tabled in National Assembly on 31.03.2015.
6. Table and make public the reports of controller of budgets that has been given to Bomet County to implement in its budget process.
7. Make public the date of tabling the above requested documents and should be effectively communicated to residents of Bomet County and petitioner to facilitate their attendance.

Upon tabling of the petition on 14th April 2015, an Adhoc Committee comprising of seventeen (17) members was established to analyse the prayers mentioned above. The Committee was given 60 days to analyse the issues and come up with a report.

After confirming that the conditions given in Standing Order 198(1) and 201 were met, the Committee embarked on handling the issues raised in the petition.

After a brief analysis of the petition, some issues were not clear and the Committee resolved to invite the petitioner to clarify the issues. The Committee proceeded to consider the prayers by analysing the following documents;

The Committee deliberated on the Controller of Budget report of 2013/14 up to the third quarter of the financial year

2014/15. Consequently, the committee took into consideration the issues raised by Budget and Appropriation Committee in their report.

The Committee analysed concurrently the Auditor General report and that of PIC/PAC on the financial operations of the Bomet County Government, Defunct Municipal Council of Bomet, Defunct County Council of Bomet and the Defunct Sotik Town Council. The issues touched on handing over of former local authority assets and liabilities. It also touched on issues pertaining, cash and bank balances, Debtors, Creditors, revenue, land and human resources.

The Committee analysed the EACC Report on the current status of corruption matters under investigations to the presidency which was made public in the National Assembly on 31st March 2015.

The Committee discovered that there is a petition pending before the Senate Committee on Finance, Commerce and Budget which was presented by Hon. Wilfred Lessan, the Senator of Bomet County on behalf of some residents of Bomet County. The petition contains allegations of embezzlements of funds, financial impropriety and skewed employment by the Bomet County Government.

It was also appropriate for the Committee to examine the CIDP, ADP and the report of Finance, ICT and Economic Planning Committee to clarify if the CIDP is being implemented by the executive as approved by the County Assembly in accordance to Section 108 of the County Government Act of 2012. The first Adhoc Committee encountered challenges of quorum and its

membership had to be reduced to (seven) 7 members. The Adhoc Committee held a total of 27 meetings which culminated into the production of this report. The Committee also faced a challenge on the scope of handling the petition which was not clear but after inviting the petitioner, he clarified the issues. Another challenge faced by the Committee was from the executive particularly the CEC and the Chief Officer in charge of Roads, Transport and Public Works who declined to cooperate in giving information requested by the committee.

Having examined all the said reports, the Committee came up with a number of observations which guided the Committee in recommending way forward pertaining issues raised in the petition.

Background

1.0 Background

The County Assembly received the petition on **8th April, 2015** after being forwarded by the petitioner whose Identification Number is 3835955. This Adhoc Committee formally received the petition after it was tabled on 14th April 2015. In his petition, Rev. Fr. Ambrose Kimutai Arap Tonui, one of the church leaders in Bomet County requested the County Assembly to debate on the allegations of corruption in Bomet County.

In his petition he was concerned over the negative consequences which have been witnessed in Bomet County and these were:

1. Increased political tension among elected leaders of Bomet County, both in the National Assembly and County Assembly and has caused divisions among the residents of the County.
2. Investors who were willing to invest in the County are now shying away from investing in our County due to corruption cases.
3. The dignity of the people of Bomet County has been damaged nationally and internationally and;
4. Money for development of Bomet County seems to have been blocked by the National Government. The projects that were going on very first appear to have slowed down.

In dealing with the matter, the Committee held a total of 27 meetings prior to coming up with this comprehensive report. It was formerly constituted of seventeen (17) members. The Committee was able to engage the petitioner over clarity on the prayers. It experienced diverse challenges and the major problem

was attaining quorum. This slowed down the process of analyzing the issues raised. Again, some of the Honourable members who were among the 17 members of the first Adhoc Committee promised to table documents that would have backed up the allegations of corruption in Bomet County Government but failed to do so.

However; the membership was re-constituted on 5th August 2015 by reducing its membership to 7, after which the newly established Adhoc Committee moved steadfast without any internal challenges.

1.1 Committee meetings

The key areas which formed the backbone of Committee discussions during their meetings included; Formulation of the program schedule that would guide the committee in deliberating on the petition, invitation and meeting with the petitioner, analysis of the controller of budget reports, analysis of Budget and Appropriation Committee reports, Auditor General Report and PAC/PIC reports on the Financial operations of Bomet County Government during the transition period of (January-June 30th 2013), The EACC Report on the current status of corruption matters under investigations to the presidency which was made public in the National Assembly. Other issues discussed include; CIDP, ADP, Labour and Public Service Committee reports on employment.

In order to have an in-depth understanding on issues of petition, the Committee studied the petition to The County Assembly (Procedure) Act 2014.

1.2 Taking of evidence

The CEC and the Chief Officer in charge of Roads, Transport and Public Works were required by the Committee to brief them on the following issues raised while they were analyzing the

Controller of Budget Reports of 2013/2014 up to the 3rd Quarter of 2014/15.

- i. The number of kilometers of roads the Bomet County lorries/tippers constructed in F/Y 2013/2014 and F/Y 2014/15. Kindly give the names of these roads.
- ii. A list of companies which constructed the roads within the County and the specific road each company constructed.
- iii. A list of Lorries belonging to the County Government of Bomet constructing County roads.
- iv. The rates per trip to transport murram for the Construction of County Roads.
- v. The owners of quarries supplying murram/hardcore materials for road construction in Bomet County.
- vi. A list of work tickets of the County vehicles being used by the Sub-County Administrators."

It was not possible for the Committee to access the information requested because the CEC and the Chief Officer responsible failed to cooperate.

The CEC for finance and the Chief Officer for ICT and Economic Planning were required by the Committee to shed light on the following issues:-

Controller of Budget Reports for the year 2013/2014 and the 3rd Quarter of 2014/15 touching on;

- i. The reasons why Bomet County has not put in place a monitoring and evaluation framework that will ensure programs and projects are implemented as approved in the budgets.
- ii. The steps taken to ensure future budgets are implemented as approved by the County Assembly.
- iii. The steps taken to ensure recurrent expenditure of individual department are ascertained.

Bomet County Integrated Development Plan;

- i. The projects implemented but not approved as per the Bomet County Integrated Development Plan and;
- ii. Whether there is another County Integrated Development Plan being used apart from the one approved by the County Assembly.

However; the Committee could not get clarification on the said issues after the CEC for Finance and the Chief Officer in charge of Economic Planning failed to respond.

1.3 Prayers of the petitioner

The prayers raised in the petition specifically were that the County Assembly should;

1. Debate soberly and sincerely the cancer of corruption in Bomet County.
2. Table and make public CIDP of Bomet County since 2013 to date.
3. Table and make public recommendations and directives issued to the executive arm of the Government of Bomet on the expenditure by the County Assembly of Bomet.
4. Table and make public all reports of the Auditor General in respect to Bomet County for the periods starting 4th March 2013 to date.
5. Table and make public the EACC reports on the list of shame of all corrupt state officers which was tabled on National Assembly on 31st March 2015.
6. Table and make public the reports of controller of budgets that has been given to Bomet County to implement in its budget process.
7. Make public the date of tabling the above requested documents should be made public and effectively communicated to residents of Bomet County and petitioner to facilitate their attendance.

1.4 Legal Framework

The legal framework for petitioning public bodies exist in Kenya as follows; **Article 37** provides that;

“Every person has a right, peaceably and unarmed, to assemble, to demonstrate, to picket and to present petitions to public authorities”

The County Governments Act under **Section 88** makes provision for citizens’ right to petition and challenge. The said section provides that;

(1)Citizens have a right to petition the county government on any matter under the responsibility of the county government

(2)Citizens petitions shall be made in writing to the county government

(3)County legislation shall give further effect to section 88 (1).

Section 14(1) (b) of the County Governments Act provides that a county assembly subject to standing orders made under paragraph (a), may establish committees in such manner and for such general or special purposes as it considers fit, and regulate the procedure of any committee so established.

Standing Order 198(1) provides a petition to the County Assembly shall be- (a) submitted to the Clerk by the petitioner and reported to the County Assembly by the Speaker; or 80 (b) presented by a Member on behalf of a petitioner, with the consent

of the Speaker. (2) Notwithstanding paragraph (1) (b), a Member shall not be eligible to present a petition on his own behalf. (3) The Clerk shall, within seven days of the date of receipt of the petition, review the petition to ascertain whether the petition meets the requirements of these Standing orders and of the law. (4) Where the Clerk considers that a petition does not comply with paragraph (3), the Clerk may give such directions as are necessary to ensure that the petition is amended to comply with that paragraph. (5) The Clerk shall, if satisfied that the petition meets the requirements under paragraph (3), forward the petition to the Speaker for tabling in the County Assembly.

Standing order 201 gives the form of Petition and it provides that a petition shall be in the form set out in the Third Schedule and shall- (a) be handwritten, printed or typed; (b) be in English or Kiswahili and be written in respectful, decorous and temperate language; (c) be free of alterations and interlineations in its text; (d) be addressed to the County Assembly; (e) have its subject-matter indicated on every sheet if it consists of more than one sheet; (f) indicate whether any efforts have been made to have the matter addressed by a relevant body and whether there has been any response from that body or whether the response has been unsatisfactory; (g) indicate whether the issues in respect of which the petition is made are pending before any court of law or other constitutional or legal body.; (h) conclude with a clear, proper and respectful prayer, reciting the definite object of the petitioner or petitioners in regard to the matter to which it relates; (i) subject to paragraph (m), contain the names, addresses, identification numbers, signature or a thumb impression of the

petitioner or of every petitioner, where there is more than one petitioner; (j) contain only signatures or thumb impressions, as the case may be, and addresses and identification numbers written directly onto the petition and not pasted thereon or otherwise transferred to it; (k) not have any letters, affidavits or other documents annexed to it; (l) in the case of a petition presented by a Member on behalf of a petitioner, be countersigned by the Member presenting it; and (m) be signed by the petitioner or if the petitioner is unable to sign, by a witness in whose presence the petitioner shall make his or her mark on the petition.

Standing Order 205 further provides that every Petition presented or reported pursuant to this Part, shall stand committed to the relevant Sectoral Committee. (2) Whenever a Petition is committed to a Sectoral Committee, the Committee shall, in not more than sixty calendar days from the time of reading the prayer, respond to the petitioner by way of a report addressed to the petitioner or petitioners and laid on the Table of the County Assembly and no debate on or in relation to the report shall be allowed, but the Speaker may, in exceptional circumstances, allow comments or observations in relation to the Petitions for not more than twenty Minutes. (3) The Clerk shall, within fifteen days of the decision of the County Assembly, in writing, notify the petitioner of the decision of the County Assembly on the petition.

Standing order 206 requires the clerk to forward copies of responses received under Standing Order 205 (Committal of Petitions) to the petitioner or petitioners.

The Petition by Rev. Fr. Ambrose Kimutai Tonui met all the above requirements.

1.5 Subjects of investigation and inquiry by the Committee.

The Committee after inviting the petitioner to clarify on the prayers, decided to zero in to the following documents;

1. The Controller of Budget reports.
2. The Auditor General Report for the period of January- 30th June 2013.
3. The EACC Report on the current status of corruption matters under investigations to the presidency.
4. Bomet County Integrated Development Plan (CIDP) and Annual Development Plan (ADP).
5. The PAC/PIC reports
6. Report on Overdraft facility accessed by Bomet County Government.
7. The Budget and Appropriation Committee reports on the issues raised in the Controller of Budget reports.
8. Labour and Public Services Committee reports
9. Finance, ICT and Economic Planning Committee reports

2.0 The alleged cancer of corruption in Bomet County

The Committee was able to analyze the controller of Budget report from the first quarter for FY 2013/2014 to third quarter FY 2014/2015. The Committee also examined the Auditor General Report on the financial operations of Bomet County during the transition period from January 2013 to June 2013, EACC report The EACC Report on the current status of corruption matters under investigations to the presidency and the progress of implementation of CIDP/ADP. The Committee was also able to refer to the report on the use of overdraft by Bomet County Government. Other reports which were referred by the Committee include; PAC/PIC report on the findings, issues and recommendations in the report of the Auditor General on the financial operations of Bomet County Government during the transition period (January to June 30th 2013, Labour and Public Service Committee report on employment, Budget and Appropriation Committee reports on the issues raised by the Controller of Budget and the report of Finance, ICT and Economic Planning Committee on Annual Development Plans and CIDP.

2.1 The Controller of Budget Report for the year 2013/14

Observations

The county prioritized development expenditure as follows,

- i. Kshs.313.6M on education infrastructure and refurbishment of ECDE centers,
- ii. Kshs.249.9M on health related projects,
- iii. Kshs.186.4M on water and irrigation,
- iv. Kshs.106.4 on agri-business and

- v. Kshs.331.1 on other projects
- vi. As per the Controller of Budget Report, it is evident that Bomet County intermittently used IFMIS and Manual systems. There were overdrawn votes noted when manual systems were uploaded into IFMIS.
- vii. Departmental recurrent expenditure could not be determined as they were not charged on their respective cost centers.
- viii. Kshs.59.1M spent as cash transfer to the elderly had not been requested or approved by the COB implying that funds requested for other activities were diverted.
- ix. There is no monitoring and evaluation framework for development projects.

The Committee also noted that the Controller of Budget recommended the following for the FY 2013/14;

- i. Fully adopt IFMIS in the County's financial management.
- ii. Assign Accounting Officers to each department who should account for the department's budget and report on spending.
- iii. Funds released should be utilized in line with the planning framework and for the purpose to which funds are approved by the Controller of Budget.
- iv. Develop a monitoring and evaluation reporting framework to facilitate monitoring of development projects.

2.2 The Controller of Budget Report of the 3rd Quarter of FY 2014/15.

Observations

The Controller of Budget pointed out the following challenges which affected budget implementation during the 3rd quarter of FY 2014/15.

- 1) Inadequate monitoring of the County budget resulted in overdrawing of some votes.
- 2) Failure to submit quarterly financial statements on the established County Funds contrary to section 167 and 169 of the PFM Act, 2012.
- 3) A weak monitoring and evaluation system for development projects
- 4) Implementation of projects not contained in the budget, such as the construction of Governor's office and Sigor High School a building which was moved from its original site to pave way for the proposed Bomet University.
- 5) Operationalization of established County Funds such as the County Enterprise Fund and Emergency Fund without approved regulations.
- 6) A high wage bill due to continuous staff recruitment that may result in unsustainable salary costs.

The Recommendations by the Controller of Budget were as follows;

- 1) The County Treasury should monitor budget execution through regular reports in order to minimize instances of overdrawing the votes.

- 2) The county should submit quarterly report on the established Funds in line with Section 168 of the PFM Act of 2012
- 3) The county should put in place adequate monitoring and evaluation frameworks for monitoring and implementation of development projects.
- 4) The County Government should strictly adhere to activities contained in the annual budget
- 5) All established County Funds should be supported by regulations dully approved by the County Assembly before operationalization.
- 6) The County should liaise with the National Government to address the rising wage bill.

2.3 The Auditor General Report on the financial operations in Bomet County

The Report described the financial operations of The Bomet County Executive, The County Assembly, The Defunct Municipal of Council of Bomet, The Defunct County Council of Bomet and The Defunct Sotik Town Council during the transition period (January 2013 to June 30th 2013).The Committee made the following observations;

2.3.1 Bomet County Executive.

In the course of Audit, the Auditor general noted that there was no official handover/takeover of assets, liabilities and staff despite that all the three former Local Authorities of Bomet Municipalities, Bomet County Council and Sotik Town Council having prepared a detail listing of the Assets, Liabilities and Staff.

The Committee noted that the scope of the Audit did not capture the defunct Bureti County Council.

The PAC/PIC had recommended that a Committee be constituted by County Executive member for finance to address the issues of Assets and Liabilities which belonged to the defunct Bureti County Council. The T.A Bomet and Kericho were to be involved in the exercise and their report be submitted to the County assembly.

2.3.1.1 Cash and Bank Balances

Observations

Former Councils bank accounts were not closed and balances transferred to the County Government Revenue Account by 28th Feb. 2013, the deadline set by the T.A., but was instead left operational up to 27th June, 2013.

The failure to close bank accounts implied that revenue collections continued to be banked in these accounts and expenditure incurred without the approval by County Assembly and this was contrary to the law.

The PAC/PIC had recommended that;

The County Government should ensure that instructions and directives issued from time to time are adhered to.

2.3.1.2 Debtors Balances

Observations

According to the unsigned handing over notes held by the County Government office, debts totaling Kshs. 318,552,468 for takeover from the constituent local authorities were as follows:

(i)	The County council of Bomet	197,727,700
(ii)	Town council of Sotik	57,146,982
(iii)	The Bomet municipal	<u>63,677,786</u>
	Total	<u>318,552,468</u>

The PAC/PIC further noted that the County Executive did not officially take over the debtors and did not prepare any records to be used in follow up.

They also noted that failure to hand over the debtors results in a risk of debtors not being traced and as a result the County Government may lose revenue.

2.3.1.3 Creditors Observations

The three former local authorities provided handing over notes of outstanding creditors of Kshs.75, 269,174 as follows:

(i)	The County council of Bomet	10,062,384
(ii)	Town council of Sotik	53,994,740
(iii)	The Bomet municipal	<u>11,212,050</u>
	Total	<u>75,269,174</u>

Therefore Ksh.75, 269, 174 remains outstanding. However, the Committee pointed out that as per the County Debt Management strategy paper the creditors was valued at Ksh.50 million. The paper did not outline strategies of recovering debts in the County.

2.3.1.4 Non-Current Assets

The status of the assets held by former Councils were as follows:

(a) Motor vehicles:

The County Executive had a total of 35 motor vehicles and related machinery out of which two (2) motor vehicles were involved in accidents during transition period. One (1) vehicle with registration No.KAW 215 Z was found to be deteriorating in the garage while another vehicle Reg. No.KYG 808 was not physically availed for audit inspection. The vehicle, inherited from the defunct County Council of Bomet was not included in the list of motor vehicles handed over to the County Executive.

The PAC/PIC had noted that the usage of motor vehicles in the County was not properly managed and recommended that the County Executive should ensure that the transport department is managed efficiently and professionally. Despite that, the same is being noted. PAC/PIC had also recommended that physical verification of all motor vehicles including KYG 808 and related machinery should be done by the County executive to confirm their existence.

(b) Furniture, fittings and computers

The County Executive did not maintain an updated inventory of furniture, fittings and computers at its disposal. The committee observed that failure to maintained inventory would make impossible to establish the quantities of assets either inherited or acquired during the transition period.

2.3.1.5 Human Resources

The Committee noted that there was no staff requirement evaluation, job evaluation and county staff structure/organogram

done to determine the personnel requirements. Therefore this poses a risk of bloated payroll and job duplications.

2.3.1.6 ICT/IFMIS

The lack of automated systems in place in the sub-Counties hampered effective collection and monitoring of revenues. This may lead to mismanagement of county funds.

2.3.2 The Defunct County Council of Bomet.

2.3.2.1 Cash and Cash equivalent

Ksh.23, 046,608 was spent by the County Government without approval from the Transitional Authority. The failure to close bank accounts implied that revenue collections continued to be banked in these accounts and expenditure incurred without the approval by County Assembly and this was contrary to the law.

2.3.2.2 Revenue

The Auditor general noted that there was a sharp and huge decline of revenue collected during the transition period (between January-June 2013). The said reduction of revenue was by Ksh.57, 354,625 which raises suspicion of irregularities during collection and surrender. The Committee expressed concern that the sudden drop in revenue without satisfactory explanation may not rule out the possibility of irregularity.

2.3.2.3 Human Resources

The Council had (55) permanent and (42) temporary staff. There was no staff and job evaluation done to determine the suitability of each member. This poses risk of bloated payroll and certain jobs being done by unqualified or overqualified staff and job duplications.

2.3.3 Defunct Municipal Council of Bomet

2.3.3.1 Cash and Cash equivalent

The failure to close the bank accounts implied that revenue collection continued to be banked in these accounts, and expenditure incurred, contrary to the law.

2.3.3.2 Debtors

The case in which debtors balances of Ksh.63, 677,786 were not confirmed for lack of support documents.

2.3.3.3 Revenue

There was a net decline of revenue collected by Ksh.5, 602,390 during the transition period as compared to the previous year. This raises suspicion on irregularities in revenue collection and surrender.

2.3.3.4. Human Resources

The council had 46 permanent and 85 temporary staff that was all transferred to the County Government. There was no staff and job evaluation done to determine the suitability of each member of staff under the new government dispensation. This poses risk of bloated payroll and certain jobs being done by unqualified or overqualified staff and job duplication.

2.3.4 The Defunct Town Council of Sotik

2.3.4.1 Cash and Bank Equivalent

A total of Ksh.1, 298,865.08 in the Bank accounts on 28th February 2013 had reduced by Ksh.917, 631.73 to Ksh.616, 701.41 by June 2013 when the balance was transferred to the

County Government bank account. The Council was in breach of the set regulations.

2.3.4.2 Revenue

The revenue records of the defunct Town Council of Sotik for the period January-June 2012 and January-June 2013 were not availed for audit despite the auditor's request. It was therefore not possible to know how much revenue was collected and how the same was accounted for.

2.3.4.3 Human Resources

The council had 28 permanent and 12 temporary staff that was all transferred to the County Government. There was no staff and job evaluation done to determine the suitability of each member of staff under the new government dispensation. This poses risk of bloated payroll and certain jobs being done by unqualified or overqualified staff and job duplication.

2.3.4.4 Land

The Committee found that the Defunct Town Council of Sotik handed over to the County Government Land Assets amounting to Kshs.21, 034,000 but the land did not have title deeds.

2.4 Ethics and Anti-corruption Commission Report (EACC)

The EACC report tabled in the Senate contained the following allegations of corruption touching on Bomet County;

1. Allegation that the Governor of Bomet County Hon. Isaac Ruto hired ambulances at a monthly cost of Ks 650,000 each. The

ambulances were acquired from the Kenya Red Cross through single sourcing.

2. Allegation that the Governor has accumulated immense wealth including 40 earth movers/tippers/graders all estimated at 400 million, chopper (helicopter) estimated at Ksh. 300 million. He bought a palatial house in Ngong worth Ksh. 33 million. He operates numerous petrol service stations.

The committee noted that;

- > The first allegation is indicated under the report as being on the preliminary stages.
- > The Second allegation is indicated as being under investigation.

Section 11(1) of the Ethics and Anti-corruption Act 2012 provides that in addition to the functions of the Commission under Article 252 and Chapter Six of the Constitution, the Commission shall—

(a) in relation to State officers, —

(i) develop and promote standards and best practices in integrity and anti-corruption;

(ii) develop a code of ethics;

(b) work with other State and public offices in the development and promotion of standards and best practices in integrity and anti-corruption;

(c) receive complaints on the breach of the code of ethics by public officers;

(d) investigate and recommend to the Director of Public Prosecutions the prosecution of any acts of corruption or violation of codes of ethics or other matter prescribed under this Act or any other law enacted pursuant to Chapter Six of the Constitution:

Petition in the Senate

The committee also noted that there is a petition currently pending before the Senate which touches on allegations of corruption in Bomet County. The petition was presented by Hon. Wilfred Lessan on behalf of some Bomet residents. The petition contained the allegations of embezzlement of funds, financial impropriety and skewed employment by the Bomet county government. It specifically provides that;

(1) The County Government of Bomet is engaging in fraudulent financial transactions contrary to the relevant provisions of the Constitution of Kenya, including the Public Finance Management Act, 2012, the County Government Act, 2012 and the Public Officers and Ethics Act.

(2) The Governor of Bomet County is using close relatives and proxy companies to award himself tenders and contracts in violation of the Public Procurement and Disposal Act as well as Articles 201 of the Constitution of Kenya.

These companies include:-

- a) Tundo Company Ltd;
- b) Erickson Company Ltd;

- c) Mulot Sunset Hardware Ltd;
- d) Wesmic Company Ltd;
- e) Rumic Company Ltd;
- f) Pulse Care System Company Ltd;
- g) Zugu Company Ltd;
- h) Jubilee Africa Company Ltd;
- i) Maraba Company Ltd; and
- j) Machii Company Ltd;

(3) Public funds approved by the County Assembly during the 2013/2014 financial period have been lost and thus have not served the intended purpose.

Some of these allocations are:-

- a) Ksh.10 million meant for persons with disabilities;
- b) Ksh.61 million meant for the construction of County Assembly of Bomet premises; and
- c) Ksh.8 million meant for Mau Forest evictees in Konoin Sub-County;

(4) The Governor of Bomet County is irregularly incurring expenditure of public funds for unbudgeted and unapproved projects; a case in point is the construction of Marengetit Secondary school in Chepalungu Sub-County, which has so far consumed approximately Ksh.30 million to date.

(5)The County Public Service Board has failed to perform its duties diligently, pursuant to Articles 10 and 232 of the Constitution of Kenya, by practicing favoritism and nepotism in the recruitment of staff, including the recruitment of the Chief Executive Officer (CEO), Rose Chepkirui, whose academic qualifications and integrity are in question.

(6)The Governor of Bomet County has failed to appear before the Senate Standing Committee on Finance, Commerce and Budget to respond to audit queries raised by the Auditor-General.

The Petition sought the following prayers;

That the Senate-

(1) Urgently investigates the matters raised herein and prepare a report on improper financial dealings between the County Government of Bomet and the questionable companies mentioned in this Petition.

(2) Calls for documents and conducts an audit into the questionable expenditures by the Bomet County Government.

(3) Requests the Ethics and Anti-Corruption Commission (EACC) to investigate expenditure of public funds by the County Government of Bomet.

(4) Investigates the County Public Service Board for perpetuating recruitment exercises based on favoritism and nepotism.

(5) Makes recommendations aimed at protecting devolution and the taxpayer, and ensuring that any persons found to have received monies irregularly are surcharged.

(The issue is under investigation by the Senate Committee of Finance, Commerce and Budget).

2.5 The County Integrated Development Plan

Section 108 of the County Governments Act 2012 provides that there shall be a five year county integrated development plan for each county which shall have—

- (a) clear goals and objectives;
 - (b) an implementation plan with clear outcomes;
 - (c) provisions for monitoring and evaluation; and
 - (d) clear reporting mechanisms.
- (2) Each county integrated development plan shall at least identify—
- (a) the institutional framework, which shall include an organization chart, required for—
 - (i) the implementation of the integrated development plan; and
 - (ii) addressing the county's internal transformation needs;
 - (b) as informed by the strategies and programs set out in the plan—
 - (i) any investment initiatives in the county;
 - (ii) any development initiatives in the county, including infrastructure, physical, social, economic and institutional development;
 - (iii) all known projects, plans and programs to be implemented within the county by any organ of state; and
 - (iv) the key performance indicators set by the county.
- (3) An integrated development plan shall—
- (a) have attached to it maps, statistics and other appropriate documents;
 - (b) refer to maps, statistics and other appropriate documents that are not attached but held in a GIS based database system:

Section 112(1) further provides that a county executive committee may by a resolution; introduce a proposal to amend the county's integrated development plan.

(2) A proposed amendment under subsection (1) to a county's integrated development plan shall be considered and approved or rejected by the county assembly in accordance with its standing orders.

(3) A proposal for amending a county's integrated development plan shall be—

(a) accompanied by a memorandum setting out the reasons for the proposal; and

(b) aligned with the framework adopted in terms of section 106.

The County assembly passed the Bomet County Integrated Development Plan which met all the requirements as provided under Section 108 of the County Governments Act 2012.

Observations

The Committee noted that there is a disparity between the CIDP which was launched by the County executive and the legitimate one approved by the Assembly.

The Committee also noted that the County executive has failed to implement any of the versions.

2.6 Report on Overdraft

The Committee took cognizance of an Adhoc Committee that was established on 27th November 2014 to investigate into the circumstances that surrounded the securing of all the bank overdraft facilities by Bomet county treasury and the

unnecessary cost incurred by the county. The committee saw it wise to inform the petitioner the details since the report was adopted in the House and it really covered the issue of bank overdraft which was adversely mentioned by Controller of Budget FY 2013/2014.

These are the observations and recommendations of the said Adhoc Committee on matters to do with alleged corruption:-

1. The committee was concerned that there was unnecessary borrowing even where funds were lying in the County revenue account and that generally matters relating to finances were not satisfactory while the C.E.C finance, a person of vast knowledge and experience in financial matters did not act accordingly. One would imagine that this would be Ideal County where laws and procedures will be adhered to. Did the C.E.C finance seek professional advice from the County Executive legal department? Did he apply the advice? These are questions that remain un-answered but were of great concern to the committee.
2. The committee observed that the County assembly must remain extremely vigilant in its oversight mandate. There must be honesty and serious scrutiny of any request for borrowing including overdrafts. This will enable the Executive to effectively and transparently undertake its work.
3. The committee further observed that budget and appropriation committee in its first quarter report on the controller of budget report and subsequent reports had recommended that the County treasury should strictly observe the provisions of the

Constitution, Public Finance Management Act 2012, and all other relevant legislations. Specifically budget and appropriation committee in the same reports had consistently recommended that any borrowing by the County government must be approved by the County assembly as required by law. However, the County treasury continued to disregard these recommendations.

4. The committee observed that the C.E.C finance was reluctant to avail the documents and/ or information regarding overdrafts taken by the County Government. This therefore amounts to violation of Article 201 of the constitution.

Recommendation of the committee on overdraft

1. That all future County borrowing must comply with the mandatory provisions of the law. In particular, Articles 201 and 212 of the Constitution and Sections 58, 140, 141 and 142 of PFM Act, where applicable. It is emphasized for clarity purposes that the County assembly approval must be sought and obtained before any borrowing.
2. That all parties involved in the County borrowing including money lending institutions should adhere to the requirements of the law namely; the Constitution and the PFM Act and any other relevant laws before advancing any monies borrowed by the County Treasury.
3. That in view of the persistent failure by the CEC Finance to observe and/or adhere to the recommendations of the Budget and appropriation committee to strictly adhere to the

provisions of the Constitution and the PFM Act as regards the issue of access of overdraft facilities by the County government, the house to consider initiating the process of the removal from office of the CEC Finance.

Committee's observations

This committee observed that;

1. The County executive member for finance was removed from office by the County assembly through an impeachment process though he is still in the same position in another docket.

2.7 Blockage of Funds allocated to Bomet County during F/Y 2014/15

The petitioner wanted to know if at one time funds meant for development of projects in Bomet County during the f/y 2014/15 was blocked by the National Government. The Committee found out that funds were never blocked but instead there was a delay in releasing the said funds.

2.8 Challenges experienced by the Committee

While addressing the issues raised by the petitioner the Committee experienced the following challenges:-

1. At the initial stages, the committee faced a quorum hitch due to its size.
2. Lack of co-operation by the CEC and Chief Officer for roads.
3. Limited time as compared to the extensive issues raised by the petitioner.
4. Initially the petition was not clear until the petitioner was invited.

2.9 Conclusion and Recommendations

Having considered all the relevant documents concerning the petition, the Committee made the following recommendations;

Recommendations

2.9.1 Controller of Budget reports

- a) Ksh.417.5 million spent on recurrent expenditure and expenditure of Ksh.65 million on development during the 1st quarter of 2013/14 should be investigated.
- b) The expenditure of Ksh.331.1 million on other projects as indicated in the 2013/14 annual report should be investigated and the said other projects should be specified.
- c) The expenditure of Ksh.313.6million under education and infrastructure especially ECD and Polytechnics does not commensurate with what was done and should be investigated.
- d) The decision by the executive to implement projects which were not approved in the 2014/15 Budget may have amounted to diversion of funds, especially the construction of Governor's office and Sigor High School.
- e) The ever rising wage bill that has been a matter of concern despite recommendations issued by the County Assembly, Controller of Budget, Auditor General and Transition Authority persists, therefore; it should be investigated.
- f) The use of the overdraft at source was contrary to regulations as per the PFM Act and this should be investigated. Furthermore; the retention of the CEC who was in charge of Finance in another docket should be investigated.

2.9.2 The Auditor General Report on the financial operations in Bomet County.

Handing over of the Assets and liabilities of former defunct local authorities

- a) The report on assets and liabilities of the County should be made public and handing over be finalized.
- b) Investigation should also be carried out why the Auditor General report failed to capture the Defunct Bureti County Council.

Cash and Bank Balances

The County Government should ensure that instructions and directives issued from time to time are adhered to. Investigation should be conducted to confirm the expenditure incurred during the period to determine whether there was a proper charge to public funds. Cashbook records should be updated and monthly bank reconciliations done to support the accuracy of the balances.

Debtors Balances

The whereabouts of Debts of the defunct local authorities (Bomet County Council, Municipal Council of Bomet and Sotik Town Council) totaling Ksh.318, 552,468 should be investigated. The County executive should move with speed in preparing records that will be used in making follow up while tracing the debtors and the County executive should officially take over all the debtors.

Creditors

The CEC for finance should clarify the exact amount outstanding and the strategies on how the debt shall be settled.

Motor Vehicles

The County Executive should implement the recommendations that had been given by PIC/PAC and ensure that the transport department is managed efficiently and professionally.

Furniture and fittings

The directives given by PAC/PIC in their report must be implemented.

ICT/IFMIS

- a) The lack of automated systems in place in the Sub-Counties hampered effective collection and monitoring of revenues. This may have led to mismanagement of county funds and this should be investigated.
- b) There is need to investigate internet connectivity and intermittent use of IFMIS.

Revenue

- a) Detailed analysis of revenue collected during the transition period at each of the defunct Local Authority should be undertaken and the variances explained.
- b) The revenue records of the defunct Town Council of Sotik for the period January-June 2012 and January-June 2013 should be investigated.

Land

All assets of the County Government should be identified, valued and recorded in the County Government Fixed Assets Register. The County Government Land without title deeds must be checked, confirmed and title deeds processed.

Human Resources

The County Public Service Board should develop a scheme of service and must be made public.

2.9.3 Report of EACC on the current status of corruption matters under investigation.

- a) The Committee recommends that since the issue is under investigation by the EACC and the Senate Committee on Finance, Commerce and Budget, this Committee abstains from making any recommendations.

2.9.4 The County Integrated Development Plan

- a) The disparity between the CIDP which was launched by the County executive and the legitimate one approved by the Assembly and failure to implement any of the versions is a concern which should be investigated.

Conclusion

Mr. Speaker Sir

The documents that the petitioner had requested to be table and made public had been tabled before. It is worth noting that once documents are tabled before the House, the public have a right to

access them. The Controller of Budget reports of the first quarter, half year, third quarter and the Annual report of 2013/14 had been tabled. The Controller of Budget Reports of the first quarter, half year and 3rd quarter of the financial year 2014/15 was also tabled. The Auditor General Report of the period January-June for the f/y 2013/14 on the financial operations of Bomet County was tabled during the first Assembly session. The CIDP approved by the Assembly, is a five year plan, and was tabled during the first session of the Assembly and finally the EACC report on the current status of corruption matters under investigation to the presidency was tabled in the Senate on 31st March 2015.

This Committee while fulfilling the freedom of expression as provided for in Article 33 (1) (a) that every person has the right to freedom of expression, which includes-freedom to seek, receive or impart information or ideas, could not hesitate to annex the documents.

In conclusion, the petitioner's prayers were able to guide the Committee to analyze, make observation and recommendations on areas that needs thorough investigation. The Committee hereby presents this report and hopes the petitioner's seven (7) prayers have been answered.

①

**MINUTES OF ADHOC COMMITTEE MEETING HELD ON
MONDAY 5TH OCTOBER 2015 FROM 2:30PM AT COMMITTEE
ROOM 2.**

Present

1. Hon. Aurelia Chepkirui.....Chairperson
2. Hon. Leonard Kirui.....V/Chairperson
3. Hon. Reuben Langat..... Member
4. Hon. Samson Towett.....Member
5. Hon. Leah Kirui.....Member
6. Hon. John Molel.....Member
7. Hon. Christopher Ngeno.....Member

Agenda

1. Preliminaries
2. To confirm the minutes of meetings held on 27th July, 30th July and 1st October 2015.
3. Matters Arising.
4. Adoption of Committee's report
6. A.O.B

Min.113/OCT/2015 Preliminaries

The meeting started after the required quorum was attained and opening prayers was said by Hon. Leah Kirui

Min.114/OCT/2015 confirmation of the previous minutes

The minutes of the meeting held on 27th July, 30th July and 1st October were confirmed as follows;

- Minutes of meeting held on 27th July was proposed and seconded by Hon. Leonard Kirui and Hon. Aurelia Chepkirui respectively
- Minutes of meeting held on 30th July was proposed and seconded by Hon. Leonard Kirui and Hon. Christopher Ngeno respectively.
- Minutes of meeting held on 1st October was proposed and seconded by Hon. Leonard Kirui and Hon. Samson Towett respectively.

Min.115/OCT/2015 Matters arising

No matter arose from either of the previous minutes.

Min. 116/OCT /2015 Committee's report: Adoption with amendments.

The chairperson introduced the day's agenda. The committee proceeded through the report and noted that the previous amendments were incorporated appropriately. The following amendments were further made.

(a) Recommendation: Controller of Budget Reports

On page 28 concerning the expenditure of Ksh.331.6 million, the word '**especially**' was inserted between infrastructure and ECD and the bracket deleted.

(b) Conclusion

- i. Under the second last paragraph, the last part was corrected read '**annex the documents**'.
- ii. The conclusion made previously was clear and was rephrased to read, '**In conclusion, the petitioner's prayers were able to guide the Committee to analyze, make observation and recommendations on areas that needs thorough investigation. The Committee hereby presents this report and hopes the petitioner's seven (7) prayers have been answered**'.

The members therefore signed the report to officially adopt it.

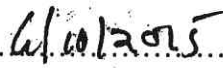
Min. 117/OCT/2015 A.O.B

There being no other business for discussion the meeting was adjourned with a word of prayer by Hon. Samson Towett.

CONFIRMATION

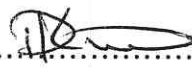
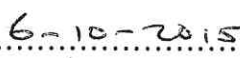
Chairperson

Hon. Aurelia

Chepkirui..........Sign..........Date

Committee clerk

Dickson

Cheruiyot..........Sign..........Date

**MINUTES OF ADHOC COMMITTEE MEETING HELD ON
THURSDAY 1ST OCTOBER 2015 FROM 12:30PM AT
COMMITTEE ROOM 2.**

Present

1. Hon. Aurelia Chepkirui.....Chairperson
2. Hon. Leonard Kirui.....V/Chairperson
3. Hon. Reuben Langat..... Member
4. Hon. John Molel.....Member
5. Hon. Samson Towett.....Member

Absent

6. Hon. Leah Kirui.....Member

Apology

7. Hon. Christopher Ngeno.....Member

Agenda

1. Preliminaries
2. To confirm the previous minutes-meetings held on 21st, 22nd and 29th September 2015.
3. Matters Arising.
4. To review Committee's report and make any amendments if necessary.
6. A.O.B

Min.108/OCT/2015 Preliminaries

The meeting started after the required quorum was attained and opening prayers was said by Hon. Samson Towett.

Min.109/OCT/2015 confirmation of the previous minutes

The minutes of the meeting held on 21st, 22nd and 29th September 2015 were confirmed as follows;

1. Minutes of meeting held on 21st September was proposed and seconded by Hon. John Molel and Hon. Aurelia respectively.
2. Minutes of meeting held on 22nd September was proposed and seconded by Hon. Samson Towett and Hon. John Molel respectively.
3. Minutes of meeting held on 29th September was proposed and seconded by Hon. John Molel and Hon. Samson respectively.

Min.110/OCT/2015 Matters arising

No matter arose from the previous minutes.

Min. 111/OCT /2015 Committee's report: Adoption with amendments.

The chairperson introduced the day's agenda and each member was requested to point out any section, issue, observation or recommendation that requires to be amended. The committee proceeded through the report and the following amendments were made.

1. Annexure

Annex iii was repeated in numbering and was corrected by re-numbering it as iv.

-Under annex v, item i, '**of**' was deleted and substituted with '**for**'.

2. Acknowledgment

The last part of the sentence was corrected by inserting '**for their dedication**' between committee and towards.

Executive summary

1. Prayer no.5 was corrected by deleting "**on**" and substituted with "**in the**".
2. Correction was made under the first paragraph on page ix by inserting a bracket into the figure 17 and not the figure in words. The second paragraph on the same page the words "**were met**" were inserted between 201 and the words "**that are required of a petition.**"
3. The first part of paragraph three was deleted and under the same paragraph, the word '**were**' was deleted and substituted with '**was**'. The last part of the same sentence, further correction was made in which the words '**and its scope**' was deleted.
4. On page x, the use of Senate was deleted and substituted with National Assembly.
5. On page xi, the total number of meetings held by adhoc committee was summed up to be 27 instead of separating into two; those held by an Adhoc committee which previously had a membership of seventeen and that of seven members.
6. **Background:**
 - (a) On page 1, issue no.2 '**on**' was deleted and replaced by '**in**'. Under the last paragraph, '**it**' was deleted and replaced with '**in**'.
 - (b) Under paragraph 1 '**will back up**' was deleted and substituted with '**would have backed up**'. On paragraph 2, the word '**Senate**' was deleted and substituted with '**National Assembly**'.

On page 3, issue no (i),f/y was used before the year 2013/14 and 2014/15. Further correction was also made by deleting 'gives' and substituted thereof with '**give**'. Issue no (ii) was also corrected by deleting '**constructing county roads**' and substituted with '**which constructed the roads within the county**'

Item 3, on the controller of reports was corrected by **deleting 'you have taken'**

7. under the introduction, the word '**The**' was deleted and substituted with the word '**This**'

8. **Conclusions and recommendations:**

Controller of Budget report:

Recommendations (e), was corrected by inserting the words '**therefore it should be investigated**' immediately after persist. Recommendation (f) was also corrected by inserting; '**Furthermore; the retention of the CEC who was in charge of Finance in another docket should be investigated**' after investigated.

Auditor General Report:

Recommendation under furniture and fittings was deleted and substituted with '**The directives given by PAC/PIC in their report must be implemented**'. Recommendation (b) on Revenue was also corrected by inserting the words '**should be investigated**' immediately after 2013. The rest of the preceding sentence was deleted in totality.

Recommendation on the EACC report on the current status of corruption matters under investigation. The two recommendations were merged and corrected to read, '**The Committee recommends that since the issue is under investigation by the EACC and the Senate Committee on Finance, Commerce and Budget, this Committee abstains from making any recommendations**'.

Recommendations on the CIDP;

- a) The two recommendations should also be merged as one so that it reads, '**the disparity between the CIDP which was launched by the County executive and the legitimate one approved by the**

Assembly and failure to implement any of the versions is a concern which should be investigated'.

The Recommendation that had been given on the overdraft report was deleted totally and the same recommendation was transferred to be captured under the recommendation on the Controller of budget reports since the issue of overdraft was raised in the controller of budget reports.

Under conclusions, the issue of blocked funds was moved to committee findings and observations.

Min. 112/OCT/2015 A.O.B

There being no other business for discussion the meeting was adjourned with a word of prayer by Hon. Leonard Kirui.

CONFIRMATION

Chairperson

Hon. Aurelia
Chepkirui.....*AK*.....Sign.....*5/10/2015*.....Date

Committee clerk

Dickson
Cheruiyot.....*[Signature]*.....Sign.....*5/10/2015*.....Date

**MINUTES OF ADHOC COMMITTEE MEETING HELD ON
TUESDAY 29TH SEPTEMBER 2015 FROM 1:10PM AT
COMMITTEE ROOM 3.**

Present

1. Hon. Aurelia Chepkirui.....Chairperson
2. Hon. Leah Kirui.....Member
3. Hon. Reuben Langat..... Member
4. Hon. John Molel.....Member
5. Hon. Samson Towett.....Member

Absent

1. Hon. Leonard Kirui.....V/Chairperson
2. Hon. Christopher Ngeno.....Member

Agenda

1. Preliminaries
2. To confirm the previous minutes
3. Matters Arising.
4. To Review Committee's draft report
5. Communication from the County Treasury over inquiry on the blockage of County funds for the f/y 2014/15
6. A.O.B

Min.103/SEP/2015 Preliminaries

The meeting started after the required quorum was attained and opening prayers was said by Hon. Samson Towett.

Min.104/SEP/2015 confirmation of the previous minutes

The minutes of the meeting held on 21st and 22nd September 2015 were deferred for confirmation during a meeting which will be held on Thursday 1st October 2015.

Min.105/SEP/2015 Matters arising

No matter could arise because the previous minutes were postpone for confirmation in the next meeting

Min. 106/SEP /2015 To Review Committee's draft report

The chairperson introduced the day's agenda and copies were circulated to each member.

Resolution

Each member will have a copy of the report and is expected to read through the report, noting the mistakes if any before the committee fully adopts the report.

On Thursday the report will be projected, corrections will be made after which it will be adopted to pave way for tabling.

Agenda II: Communication from the County Treasury over inquiry on the blockage of County funds for the f/y 2014/15.

The committee had sent a letter to the CEC for finance inquiring whether there was an instance in which Funds allocated to Bomet County had been blocked by National Treasury. The chairperson read through the response as indicated in the letter dated 28th September 2015 which was as follows;

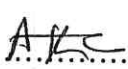
- i) From records, the only thing that could be noted from the National Treasury is that there were certain months during F/Y 2014/15 in which funds disbursements was delayed.
- ii) Records also revealed that at no time was the funds allocated to Bomet County blocked during F/Y 2014/15.

Min. 107/SEP/2015 A.O.B

The chairperson informed the members that the next meeting will be held on Thursday 1st October 2015 as from 11:00am to finalize on the report. This is subject to confirmation of the program schedule if it is within the Committee work plan. There being no other business for discussion the meeting was adjourned with a word of prayer by Hon. Leah Kirui.

CONFIRMATION

Chairperson

Hon. Aurelia
Chepkirui..........Sign.....11/10/2015.....Date

Committee clerk

Dickson
Cheruiyot..........Sign.....1st Oct. 2015.....Date

(4)

**MINUTES OF ADHOC COMMITTEE MEETING HELD ON
MONDAY 22ND SEPTEMBER 2015 FROM 2:40PM AT
COMMITTEE ROOM 2.**

Present

1. Hon. Aurelia Chepkirui.....Chairperson
2. Hon. Christopher Ngeno.....Member
3. Hon. Reuben Langat..... Member
4. Hon. John Molel.....Member
5. Hon. Samson Towett.....Member

Absent

1. Hon. Leah Kirui.....Member
2. Hon. Leonard Kirui.....V/Chairperson

Agenda

1. Preliminaries
2. To confirm the minutes of a meeting held on 21st September 2015
3. Matters Arising.
4. To Review Committee's draft report
5. A.O.B

Min.98/SEP/2015 Preliminaries

The meeting started after the required quorum was attained and opening prayers was said by Hon. John Molei.

Min.99/SEP/2015 confirmation of the previous minutes

The minutes of the meeting held on 21st September 2015 was deferred for confirmation during a meeting which will be held on Monday 28th September 2015.

Min.100/SEP/2015 Matters arising

No matter could arise because the previous minutes was postpone for confirmation in the next meeting

Min. 101/SEP/2015 To Review Committee's draft report

The chairperson introduced the day's agenda .During the discussion, the following were noted;

- All the documents that were analyzed will fall under chapter one
- Recommendations and conclusions will fall on the same chapter.
- Under the table of contents Sotik Town Council was not captured and should be included.
- Omit preface and replace with the executive summary. The executive summary should be comprehensive to include challenges, findings and witnesses invited.
- Under acknowledgement, some corrections were made by deleting the word **"This"** and substituted with the word **"the"**. Correction were further made by rephrasing the whole sentence so as to read, *"towards the production of this report,"*
- Under introduction and background, the title was corrected by deleting introduction.

Resolution

The technical team was given more time to work on the report which should be ready by Monday 28th September 2015 for committee adoption and to pave way for tabling on Tuesday.

The research officer was tasked to inquire from the National Treasury if at one time funds allocated to Bomet County were blocked by National Government.

Min. 102/SEP/2015 A.O.B

The chairperson informed the members that the next meeting will be held on Monday 28th September as from 11:00am to finalize on the report. There being no other business for discussion the meeting was adjourned with a word of prayer by Hon. Samson Towett.

CONFIRMATION

Chairperson

Hon. Aurelia

Chepkirui.....*AK*.....Sign.....*11/10/2015*.....Date

Committee clerk

Dickson

Cheruiyot.....*[Signature]*.....Sign.....*1st Oct 2015*.....Date

⑤

MINUTES OF ADHOC COMMITTEE MEETING HELD ON
MONDAY 21ST SEPTEMBER 2015 FROM 3:30PM AT
COMMITTEE ROOM 2.

Present

1. Hon. Aurelia Chepkirui.....Chairperson
2. Hon. Leonard Kirui.....V/Chairperson
3. Hon. Christopher Ngeno.....Member
4. Hon. Reuben Langat..... Member
5. Hon. Leah Kirui.....Member

Absent

1. Hon. John Molel.....Member
2. Hon. Samson Towett.....Member

Agenda

1. Preliminaries
2. To confirm the minutes of meeting held on 15th September 2015
3. Matters Arising.
4. To Review Committee's draft report
5. A.O.B

Min.93/SEP/2015 Preliminaries

The meeting started after the required quorum was attained and opening prayers was said by Hon. Leonard Kirui.

Min.94/SEP/2015 to confirm the previous minutes

The minutes of the meeting held on 15th September 2015 was proposed by Hon. Christopher Ngeno and seconded by Hon. Reuben Langat

Min.95/SEP/2015 Matters arising

The Committee wanted to know why the 5 days requested for report writing retreat was reduced to two days and the venue which was Morendat Training and conference centre, Naivasha was changed to Sunset in Kisumu.

The Committee noted that the two days was not enough to address all the issues and that is why the two days had to be extended by a day.

The Committee also noted that the program was tight and the report writing exercise started at 8:30 am and ended late in the evening, 6:30pm.

Min. 96/SEP/2015 To Review Committee's draft report

The chairperson introduced the day's agenda. The committee clerk was tasked to read out the key areas that the committee had noted for further clarifications which was as follows;

- A letter which was to be sent to The County Director of procurement on how far have they implemented the recommendations given earlier on by PAC/PIC.
- A letter which was to be sent the CEC finance to clarify issues of intermittent use of IFMIS. Include also was revenue records for the defunct Sotik Town Council.
- A letter was also to be sent to the County Treasury to inquire if there was an instance in which Bomet County National Allocations was blocked by National Treasury.

The chairperson noted that the report was not yet complete and the following resolutions were made;

1. Each member should have a copy of the draft report before leaving for their homes.
2. The report should have three sections; introduction, main body, conclusions and recommendations.
3. The technical team including the committee clerk should ensure the corrections that were made are adjusted appropriately.
4. A letter should be sent to the County Treasury to ascertain issue of County Funds being blocked since this was also a concern raised by the petitioner.
5. The Committee agreed that the issue of procurement, revenue records of defunct Sotik Town Council and the intermittent use of IFMIS will be concluded by the recommendations of the Committee.

Min. 97/SEP/2015 A.O.B

The chairperson informed the members that tomorrow on Tuesday 22nd September the committee will meet as from 11:00am to finalize on the report. There being no other business for discussion the meeting was closed with a word of prayer from Hon. Reuben Langat.

CONFIRMATION

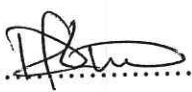
Chairperson

Hon. Aurelia

Chepkirui..........Sign.....11/10/2015.....Date

Committee clerk

Dickson

Cheruiyot..........Sign.....11/08/2015.....Date

⑥

**MINUTES OF ADHOC COMMITTEE MEETING HELD ON
TUESDAY 15TH SEPTEMBER 2015 FROM 12:30PM AT
CHAMBERS.**

Present

1. Hon. Aurelia Chepkirui.....Chairperson
2. Hon. Leonard Kirui.....V/Chairperson
3. Hon. Christopher Ngeno.....Member
4. Hon. Reuben Langat..... Member
5. Hon. Leah Kirui.....Member
6. Hon. John Molel.....Member
7. Hon. Samson Towett.....Member

Agenda

1. Preliminaries
2. To confirm the minutes of meeting held on 7th September 2015
3. Matters Arising.
4. Way forward on the concluded deliberation on the petition by Rev. Father Ambrose Kimutai
5. A.O.B

Min.89/SEP/2015 Preliminaries

The meeting started after the required quorum was attained and opening prayers was said by Hon. Leonard Kirui.

Min.90/SEP/2015 confirmation of the previous minutes

The minutes of the meeting held on 7th September 2015 was proposed by Hon. Reuben Langat and seconded by Hon. Leonard Kirui.

Min.91/SEP/2015 Matters arising

The Committee wanted to know if the chief officer in charge of Roads, Transport and Public Works who had been invited to attend the committee meeting scheduled at 11:00am on 19th September 2015 has responded. The chair informed the committee that the Chief Officer came on 10th September 2015 at 3:00pm contrary to the time indicated in the letter.

The chair also informed the Committee that the CEC for Finance and the Chief Officer for did not respond even after they promised to attend the committee meeting.

The committee also wanted to know the dates of compiling a report on the petition having concluded their observations.

Committee Resolutions

1. The Chief Officer for Roads, Transport and Public works failed to honour the invitation despite having been given a final opportunity and therefore the committee will proceed to compile a report and will indicate in the report that the said chief officer refused to cooperate.
2. The committee will have a report writing retreat from Wednesday 16th -Sunday 20th September 2015 outside the precincts of County Assembly. The Committee will be leaving on Tuesday 15th at 4:00pm.
3. The secretary to request for permission and facilitation of the committee to pave way for report writing.

Min. 92/SEP/2015 A.O.B

The secretary informed the committee that he has gathered all the necessary documents for reference. There being no other business for discussion, closing prayers was said by Hon. Leah Kirui.

CONFIRMATION

Chairperson

Hon. Aurelia

Chepkirui..........Sign..........Date

Committee clerk

Dickson

Cheruiyot..........Sign.....21-09-2015.....Date

**MINUTES OF ADHOC COMMITTEE MEETING HELD ON
MONDAY 7TH SEPTEMBER 2015 FROM 11:00AM AT
COMMITTEE ROOM 2.**

④

Present

1. Hon. Aurelia Chepkirui.....Chairperson
2. Hon. Leonard Kirui.....V/Chairperson
3. Hon. Christopher Ngeno.....Member
4. Hon. Reuben Langat..... Member
5. Hon. Leah Kirui.....Member

Absent

1. Hon. John Molel.....Member
2. Hon. Samson Towett.....Member

Agenda

1. Preliminaries
2. To confirm the minutes of meeting held on 31st August 2015
3. Matters Arising from the minutes of meeting held on 31st August 2015
4. To confirm the minutes of meeting held on 1st September 2015
5. Matters arising from the minutes of meeting held on 1st September 2015
6. Briefings by CEC for Finance and Economic Planning, Chief Officer for Economic Planning and the Chief Officer for Roads, Transport and Public Works
8. A.O.B

Min.82/SEP/2015 Preliminaries

The meeting started after the required quorum was attained and opening prayers was said by Hon. Leonard Kirui.

Min.83/SEP/2015 to confirm the minutes of meeting held on 31st August 2015

The minutes of the meeting held on 31st August 2015 was proposed by Hon. Reuben Langat and seconded by Hon. Leonard Kirui.

Min.84/SEP/2015 Matters arising from the minutes of meeting held on 31st August 2015

1. Corrections made

(a) Min.73/SEP/2015 : the sentence was corrected by inserting the word **"of"** between *confirmation* and *the*.

(b) Correction was also made by replacing **"a case of corruption"** with **"a case to be investigated."**

3. Committee Resolutions

Under resolution (ii), the whole sentence was corrected to read "to look at Labour and Public Service Committee Recommendations on the issues raised".

Min. 85/SEP/2015 to confirm the minutes of meeting held on 1st September 2015

The minutes were read by the secretary after which it was proposed by Hon. Leah Kirui and seconded by Hon. Christopher Ngeno.

Min.86/SEP/2015 Matters arising from the minutes of meeting held on 1st September 2015.

1. Corrections made

(a) Min.80/SEP/2015: The sentence was corrected by inserting the words **"but failed"** immediately after raised so that the whole sentence reads; The chief officer in charge of Roads, Public work and Transport had been invited to a committee meeting scheduled for Tuesday 1st September to shed light on issues the committee had raised but failed. However; the Chairperson informed the committee via a letter dated 1st September from the chief officer, Eng. Simon K. Korir in which he said "I wish to state that I cannot be able to give the report as required without the petition cited in the invitation letter and therefore cannot be able to attend the briefings as scheduled."

Min.87/SEP/2015: Briefings by CEC for Finance and Economic Planning and the chief officer for Economic Planning.

The chair communicated that the agenda was supposed to be meeting with the CEC for Finance and Economic Planning, Chief Officer for Economic Planning and the Chief Officer for Roads, Transport and Public Works but will not be possible since;

- (i) The CEC for Finance was away and could not attend this meeting but he has scheduled the meeting to Thursday 10th September.
- (ii) The Chief Officer for Economic Planning will also come on Thursday 10th September.

- (iii) The Chief Officer for Roads, Transport and Public Works has not responded despite having been provided with the petition he had requested.

Committee Resolutions

1. A letter should be sent again to the chief officer for Roads, Transport and Public Works to invite him for a meeting scheduled for Thursday 10th September as from 11:00am. This letter will be the last and should be made clear to him on the consequences of failing to respond to the issues raised. Should he failed, a summon letter will be served without hesitation.
2. The committee will have a report writing retreat from Friday 11th – Monday 14th September 2015 in Kisumu Hotel. The Committee will be leaving on Thursday 10th at 4:00pm.
3. The secretary to request for permission and facilitation of the committee to pave way for report writing.
4. The secretary to ensure all the documents is available before Thursday.

Min. 88/SEP/2015 A.O.B

There being no other business for discussion, closing prayers was said by Hon. Leah Kirui.

CONFIRMATION

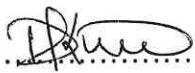
Chairperson

Hon. Aurelia

Chepkirui..........Sign.....15/9/2015.....Date

Committee clerk

Dickson

Cheruiyot..........Sign.....15-09-2015.....Date

**MINUTES OF ADHOC COMMITTEE MEETING HELD ON
TUESDAY 1ST SEPTEMBER 2015 FROM 11:00AM AT
COMMITTEE ROOM 2.**

8

Present

1. Hon. Aurelia Chepkirui.....Chairperson
2. Hon. Leonard Kirui.....V/Chairperson
3. Hon. Samson Towett.....Member
4. Hon. Christopher Ngeno.....Member
5. Hon. John Molel.....Member
6. Hon. Reuben Langat..... Member
7. Hon. Leah Kirui.....Member

Agenda

1. Preliminaries
2. To confirm the previous minutes
3. Matters Arising.
4. Briefings by the Chief Officer for Roads, Transport and Infrastructure.
5. A.O.B

Min.77/SEP/2015 Preliminaries

The meeting started after the required quorum was attained and opening prayers was said by Hon. Leonard Kirui.

Min.78/SEP/2015 confirmation the previous minutes.

The minutes of the meeting held on 31st August 2015 was not confirmed hence it was postpone for confirmation on Thursday 3rd September.

Min.79/SEP/2015 Matters arising from previous minutes

Since the previous minutes was not confirmed there was no matter arising

Min. 80/SEP/2015 Briefings by the Chief Officer for Roads, Transport and Infrastructure

The chief officer in charge of Roads, Public work and Transport had been invited to a committee meeting scheduled for Tuesday 1st September to shed light on issues the committee had raised. However; the Chairperson informed the committee via a letter dated 1st September from the chief officer, Eng. Simon K. Korir in which he said "I wish to state that I cannot be

able to give the report as required without the petition cited in the invitation letter and therefore cannot be able to attend the briefings as scheduled"

Committee Resolutions

1. A petition should be attached with a letter to be addressed to the Chief Officer.
2. The meeting with the chief officer should be re-scheduled to Thursday 3rd at 11:00am
3. The components of the previous letter were re-framed so as to read "The Committee would like to be briefed on the following issues raised while they were analyzing the Controller of Budget Reports of 2013/2014 up to the 3rd Quarter of 2014/15.
 - i. The number of kilometers of roads the Bomet County lorries/tippers constructed in 2013/2014 and 2014/15. Kindly give the names of these roads.
 - ii. A list of companies constructing County roads and the specific road each company constructed.
 - iii. A list of Lorries belonging to the County Government of Bomet constructing County roads.
 - iv. The rates per trip to transport murram for the Construction of County Roads.
 - v. The owners of quarries supplying murram/hardcore materials for road construction in Bomet County.
 - vi. A list of work tickets of the County vehicles being used by the Sub-County Administrators."

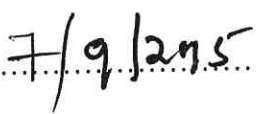
Min. 81/SEP/2015 A.O.B

The chairperson reminded the committee that on Thursday 3rd September the CEC for Finance and Chief Officer for Economic Planning will be expected to attend the meeting as per the invitation letter.

There being no other business for discussion, closing prayers was said by Hon. Kirui Leah

CONFIRMATION

Chairperson

Hon. Aurelia
Chepkirui..........Sign..........Date

Committee clerk

Dickson
Cheruiyot..........Sign..........Date

⑨

MINUTES OF ADHOC COMMITTEE MEETING HELD ON
MONDAY 31ST AUGUST 2015 FROM 12:00PM AT COMMITTEE
ROOM 2.

Present

1. Hon. Aurelia Chepkirui.....Chairperson
2. Hon. Leonard Kirui.....V/Chairperson
3. Hon. Samson Towett.....Member
4. Hon. Christopher Ngeno.....Member
5. Hon. John Molel.....Member
6. Hon. Reuben Langat..... Member

Absent

1. Hon. Leah Kirui.....Member

Agenda

1. Preliminaries
2. To confirm the previous minutes
3. Matters Arising.
4. To examine the Auditor General summary Report of January-June 2013.
5. A.O.B

Min.72/Aug/2015 Preliminaries

The meeting started after the required quorum was attained and opening prayers was said by Hon. Leonard Kirui.

Min.73/Aug/2015 confirmation of the previous minutes.

The minutes of the meeting held on 25th August 2015 were proposed by Hon. Christopher Ngeno and seconded by Hon. Leonard Kirui as the true record of what was discussed in that day.

Min.74/Aug/2015 Matters arising

Correction made:

1. Min 67/Aug/2015 correction was made by deleting the last section of the sentence.
2. Min 70/Aug/2015 under A.O.B.

- (a) Correction was made on who said closing prayers. Hon Leah had been erroneously captured as having said closing prayers instead of Hon. Samson Towett.
- (b) The date noted down as Thursday 13th August was also corrected to be Monday 31st September.

Min. 75/Aug/2015 to examine the Auditor General summary Report of January-June 2013.

The chairperson introduced the agenda of the day and took the members through the report. The committee took note on the following key issues as raised by the Auditor General.

Bomet County Government Executive

1. Taking over of former local authorities

The committee concluded by noting that preparation for handing over by the TA is yet to be done.

2. Cash and cash Balances

The failure to close bank accounts implied that revenue collections continued to be banked in these accounts and expenditure incurred and this was contrary to the law. The committee noted this issue as a case to be investigated.

3. Creditors

Ksh.75, 269, 174 remains outstanding. However the committee pointed out that as per the County Debt Management strategy paper the creditors was valued at Ksh.50 million. The CEC for finance will clarify this matter.

4. Human Resources

Here there was no job evaluation done to determine the personnel requirements. The committee noted this issue which will be adequately addressed once the committee examines the public services and labour committee reports.

5. ICT.IFMIS

The lack of automated systems in place in the sub-Counties hampered effective collection and monitoring of revenues. This may lead to mismanagement of county funds.

Bomet County Assembly

There was no issue in this entity

The Defunct County Council of Bomet.

1. Cash and Cash equivalent

Ksh.23, 046,608 was spent by the Council without approval from the Transitional Authority. The committee noted this as a case to be investigated.

2. Revenue

The sharp and huge decline of revenue collected by Ksh.57, 354,625 during the transition period raises suspicion of irregularities.

3. Motor vehicles

Fixed asset register was not updated to reflect the disposal of two motor vehicles. This raises suspicion as noted by the committee and should be investigated.

4. Human Resources

The Council had (55) permanent and (42) temporary staffs. There was no staff and job evaluation done to determine the suitability of each member. This poses risk of bloated payroll and certain jobs being done by unqualified or overqualified staff and job duplications.

Defunct Municipal Council of Bomet

1. Cash and Cash equivalent

The failure to close the bank accounts implied that revenue collections continued to be banked in these accounts, and expenditure incurred, contrary to the law. The committee noted this for investigation.

2. Debtors

The case in which debtors balances of Ksh.63, 677,786 were not confirmed for lack of supporting documents and should be investigated by the committee.

3. Revenue

There was a net decline of revenue collected by Ksh.5, 602,390 during the transition period as compared to the previous year. Suspicion in irregularities in revenue collection and surrender and should be investigated.

4. Human Resources

The council had 46 permanent and 85 temporary staffs that were all transferred to the County Government. There was no staff and job evaluation done to determine the suitability of each member of staff under the new government dispensation. This poses risk of bloated payroll and certain jobs being done by unqualified or overqualified staff and job duplications.

The Defunct Town Council of Sotik

1. Cash and Cash Equivalent

A total of Ksh. 1,298,865.08 in the Bank accounts on 28th February 2013 had reduced by Ksh.917, 631.73 to Ksh.616, 701.41 by June 2013 when the balance was transferred to the County Government bank account. The Council breach the regulations set.

2. Revenue

The revenue records of the defunct Town Council of Sotik for the period January-June 2012 and January-June 2013 were not availed for audit despite the auditor's request. It was therefore not possible to know how much revenue was collected and how the same was accounted for. This is a concern that calls for further investigation as noted by the committee.

3. Human Resources

The council had 28 permanent and 12 temporary staffs that were all transferred to the County Government. There was no staff and job evaluation done to determine the suitability of each member of staff under the new government dispensation. This poses risk of bloated payroll and certain jobs being done by unqualified or overqualified staff and job duplications.

Committee Resolutions

- i. The committee will look at the PAC/PIC reports on the issues noted
- ii. The recommendations on what the Labour and Public Service Committee recommended hence it is not necessary to invite the public Service Board.

Min. 76/Aug/2015 A.O.B

There being no other business for discussion, closing prayers was said by Hon. Kirui Leonard

CONFIRMATION

Chairperson

Hon. Aurelia

Chepkirui.....

AAC

Sign.....

7/09/2015

.....Date

Committee clerk

Dickson

Cheruiyot.....

DKW

Sign.....

7/sep/2015

.....Date

(10)

MINUTES OF ADHOC COMMITTEE MEETING HELD ON
TUESDAY 25TH AUGUST 2015 FROM 12:30PM AT
BOARDROOM.

Present

1. Hon. Aurelia Chepkirui.....Chairperson
2. Hon. Leonard Kirui.....V/Chairperson
3. Hon. Samson Towett.....Member
4. Hon. Christopher Ngeno.....Member

Absent

5. Hon. John Molel.....Member
6. Hon. Leah Kirui.....Member
7. Hon. Reuben Langat..... Member

Agenda

1. Preliminaries
2. To confirm the previous minutes of meeting held on 9th July.
3. Matter arising from the minutes of meeting held on 9th July 2015.
4. To confirm the minutes of meeting held on 13th August 2015.
5. Matters arising from the minutes of meeting held on 13th August
6. A.O.B

Min.66/Aug/2015 Preliminaries

The meeting started after the required quorum was attained and opening prayers was said by Hon. Samson Towett.

Min.67/Aug/2015 to confirm the previous minutes of meeting held on 9th July.

The minutes of the meeting held on 9th July 2015 were confirmed by being proposed by Hon. Christopher Ngeno and seconded by Hon. Leonard Kirui as the true reflection of the record of what was discussed in that day. The minutes of meeting held on 13th August was proposed and seconded by Hon. Christopher Ngeno and seconded by Hon. Samson

Min.68/Aug/2015 Matters arising from the minutes of meeting held on 9th July 2015.

Correction made:

1. Min 32/July/2015 correction was made under the third paragraph of the last part of the sentence, which had stated that **'it was wrong for the County Assembly to approve the overdraft'**. This is because the County Assembly never approved any overdraft in the f/y 2013/14.
2. Min 33/July/2015 under committee discussions the word captured as AIA was corrected as AIE
3. Min 33/July/2015 under the 5th item on the resolutions where it was stated that **"all the witnesses be invited to attend the adhoc committee meeting"**. Correction was made so that the witnesses referred here is specific by narrowing down only to the CEC and chief officer for Transport and Roads.

Through the chairperson, the committee clerk read through a letter that had been previously sent to the CEC for Roads and Transport inviting her to attend the committee meeting to shed light on the key issues raised

Resolutions

A letter be sent to the chief officer for Roads and transport inviting him/her to appear before this Adhoc committee on Tuesday 1st September as from 9:30 am to shed light on the following issues;

- i. The number of kilometers of roads the Bomet County lorries/tippers constructed in 2013/2014 and during the 3rd quarter of 2014/15. Kindly give the names of these roads.
- ii. The pre-qualified contractors who constructed the mentioned County roads.
- iii. The list of lorries both the privately owned and those owned by Bomet County Government, including their registration numbers which are constructing the roads in Bomet County.
- iv. The amount paid to the owner for each trip the lorries/tippers makes to transport murram for the construction of county roads.
- v. A list of suppliers of road construction materials in the County.
- vi. A list of work tickets for the County vehicles, quantities and cost of fuel consumed by each vehicle.

Min.64/Aug/2015 to confirm the previous minutes of meeting held on 13th August.

The minutes of meeting held on 13th August was proposed and seconded by Hon. Christopher Ngeno and seconded by Hon. Samson as duly reflecting the resolutions made in that day.

Min.69/Aug/2015 Matters arising from the minutes of meeting held on 13th August 2015.

Correction made: Minutes of 13th August 2015

1. Min 62/Aug/2015 the date noted as 13th in which a meeting was held should be corrected to be 10th August.
2. Min 64/Aug/2015 paragraph two was corrected by inserting the word chairperson between **"the"** and **"introduced"**. The same sentence was further corrected by deleting the words **"which was"**.

Resolutions

The CEC for finance and the Chief Officer for ICT and Economic Planning should be invited to address the following issues on Thursday 3rd September

1. Controller of Budget Reports for the year 2013/2014 and the 3rd Quarter of 2014/15 touching on;

(a) The reasons why Bomet County has not put in place a monitoring and evaluation framework that will ensure programs and projects are implemented as approved in the budgets.

(b) The steps you have taken to ensure future budgets are implemented as approved by the County Assembly.

(c) The steps taken to ensure recurrent expenditure of individual department are ascertained.

2. Bomet County Integrated Development Plan;

(a) The projects implemented but not approved as per the Bomet County Integrated Development Plan.

(b) Whether there is another County Integrated Development Plan being used apart from the one approved by the County Assembly.

Min. 70/Aug/2015 A.O.B

There was no other business for discussion. The next meeting will be on Thursday 13th August and thereafter closing prayers was said by Hon. Leah Kirui. The agenda will be to verify and examine the summary reports of the documents availed.

CONFIRMATION

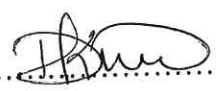
Chairperson

Hon. Aurelia

Chepkirui..........Sign.....31/08/2015.....Date

Committee clerk

Dickson

Cheruiyot..........Sign.....31st Aug. 2015.....Date

(11)

MINUTES OF ADHOC COMMITTEE MEETING HELD ON
THURSDAY 13TH AUGUST 2015 FROM 10:30AM AT
BOARDROOM.

Present

1. Hon. Aurelia Chepkirui.....Chairperson
2. Hon. Leonard Kirui.....V/Chairperson
3. Hon. Reuben Langat.....Member
4. Hon. Samson Towett.....Member
5. Hon. Leah Kirui.....Member
6. Hon. Christopher Ngeno.....Member
7. Hon. John Molel.....Member

Agenda

1. Preliminaries
2. Confirmation of previous minutes
3. Matter arising
4. To examine the various summary reports -Auditor General report 2013-date, Controller of budget reports and EACC reports.
5. A.O.B

Min.61/Aug/2015 Preliminaries

The meeting started after the required quorum was attained and opening prayers was said by Hon. Leonard Kirui.

Min.62/Aug/2015 Confirmation of previous minutes

The minutes of the meeting held on 13th August 2015 were confirmed by being proposed by Hon. Samson and seconded by Hon. Christopher Ngeno as the true reflection of the record of what was discussed in that day.

Min.63/Aug/2015 Matters arising from previous meeting

1.The members wanted to know the feedback from Hon. Robert Serbai and Hon. Joyce Korir and whether letters were sent to the two members requesting them to table some documents before this committee. The committee clerk informed the committee that indeed letters had been written but the Clerk of the Assembly advised the committee that it is better for the chairperson to personally engage and request the two members over the documents.

2. The three minutes of the previous meeting which are not yet confirmed will be confirmed during the next meeting.

Corrections made.

1. Min 54/Aug/2015 omitted was not supposed to be there hence correction was made by deleting it.
2. Min 59/Aug/2015 under item on the last sentence, the word "on" was inserted as a correction between touched and petitions.
3. Min 60/Aug/2015 correction was made on the order of numbering the minutes.
4. Min 50/Aug/2015 the numbering of minutes should be continuous

Min.64/Aug/2015 To examine the various summary reports - Auditor General report 2013-date, Controller of budget reports and EACC reports.

The introduced the agenda of the day which was after which she invited the members to give their comments. Due to time which is almost elapsing and in order to analyse all the relevant sources of information within the shortest time possible, the committee resolve that:

The following documents should be availed to the committee

- The two members, Hon. Joyce Korir and Hon. Robert Serbai will be verbally reminded concerning the documents they had previously promised to table.
- PAC/PIC Committee report on the deliberation and on the Auditor General Report on the financial operations for Bomet County during the period of January-June 2013 should be availed to the committee.
- Summary report on the Auditor General Report for the period 2013 [January-June].
- Reports from labour committee touching on employment in the County-to be check and confirmed from the committee clerk of labour &Public Service committee.
- Collect and availed all the Budget and Appropriation committee reports on examination and analysis of the Controller of Budget reports up to the third quarter of 2014/15.
- Summary report from Budget office on the Controller of Budget Reports
- The CEC for finance should be invited on 27th August to shed light on issues in the 2013/14, 2014/15ADP, CIDP, Controller of budget reports.
- Summary report of EACC over the cases of corruption touching only on Bomet County.

- The committee will be divided into three groups and each group will conduct site visit to meet some workers who
- Note that the chairperson to confirm on the calendar of events for the following week because it was being anticipated that all the 47 County Assemblies will participate in games in Eldoret. This is because the date the CEC for finance is expected to meet the committee will be affected. After confirmation the committee clerk should then write a letter and sent to the CEC for finance.

Min 65/Aug/2015 A.O.B

There was no other business for discussion. The next meeting will be on Thursday 13th August and thereafter closing prayers was said by Hon. Leah Kirui. The agenda will be to verify and examine the summary reports of the documents availed.

CONFIRMATION

Chairperson

Hon. Aurelia

Chepkirui.....



Sign.....

25/08/2015

.....Date

Committee clerk

Dickson

Cheruiyot.....



Sign.....

25-08-2015

.....Date

(12)

**MINUTES OF ADHOC COMMITTEE MEETING HELD ON
FRIDAY 7TH AUGUST 2015 FROM 9:45AM AT BOARDROOM.**

PRESENT

1. Hon. Aurelia Chepkirui.....Chairperson
2. Hon. Leonard Kirui.....V/Chairperson
3. Hon. Reuben Langat.....Member
4. Hon. Samson Towett.....Member
5. Hon. Leah Kirui.....Member
6. Hon. John Molel.....Member
7. Hon. Christopher Ngeno.....Member

Agenda

1. Preliminaries
2. Confirmation of previous minutes
3. Matter arising
4. To review progress made on analysing the petition
5. A.O.B

Min.51/Aug/2015 Preliminaries

The meeting started after the required quorum was attained and opening prayers was said by Hon. Leonard Kirui.

Min.52/Aug/2015 Confirmation of previous minutes

The minutes of the meeting held on 5th August 2015 were confirmed by being proposed by Hon. Reuben Langat and seconded by Hon. Leonard Kirui as the true reflection of the record of what was discussed and resolved on in that day.

Min.53/Aug/2015 Matters arising from previous meeting

It was raised that there are some minutes of meeting held on 9th, 27th and 30th July has not been confirmed. These minutes will be confirmed during the next meeting.

Min.54/Aug/2015 to review progress made on analysing the petition

The Chairperson introduced the agenda of the day having considered it very necessary so that the new members are aware what the petition is all about and where the previous committee had arrived in examining the issues. These include:

1. Prayers of raised by the petitioner

2. Invitation of the petitioner.
3. C.o.B reports for 2013/14 and 2014/15
4. Letters inviting the witnesses;[CEC for finance and Roads, Director HR, Public service Board and the County secretary]
5. Documents of evidence promised to be tabled by some members

Resolutions

- i. Petition to the County Assembly Act 2014 will be examined by the committee for purposes of in-depth understanding on issues of petition on Monday 10th August as from 9:00am.
- ii. Sent letters to the two members who had promised to table the documents claimed to back the issues as raised under corruption.
- iii. Research on whether it is allowed for a committee to examine a report that has been tabled in the House and committed to another committee [in this case the 3rd quarter report of Controller of Budget for 2014/15. That was committed to Budget and Appropriation committee]
- iv. Confirm with the technical/legal team whether it is appropriate to table a report that has been tabled in the National Assembly in this case the EACC report.
- v. The new members be provided with copies of the minutes containing all the transaction previously held by the committee, the prayers as raised by the petitioner and all the document/reports.
- vi. The legal team was tasked to analysed and come up with a summary of the cases of corruption for Bomet County as contained in the EACC report.
- vii. Budget office to analyse and generate a copy of information in the C.o.B reports.
- viii. Auditor's office to analyse and summarise the Auditor general's Report for the period under review.
- ix. These remaining reports will then be examined by the committee systematically.

Min 50/July/2015 A.O.B

There was no other business for discussion and therefore closing prayers was said by Hon. Leah Kirui.

CONFIRMATION

Chairperson

Hon. Aurelia

Chepkirui.....  , Sign..... 10/08/2015 Date

Committee clerk

Dickson

Cheruiyot.....  Sign..... 10/Aug/2015 Date

(13)

MINUTES OF ADHOC COMMITTEE MEETING HELD ON
MONDAY 10TH AUGUST 2015 FROM 11:00AM AT
BOARDROOM.

Present

1. Hon. Aurelia Chepkirui.....Chairperson
2. Hon. Leonard Kirui.....V/Chairperson
3. Hon. Reuben Langat.....Member
4. Hon. Samson Towett.....Member
5. Hon. Leah Kirui.....Member

Apologies

6. Hon. Christopher Ngeno.....Member
7. Hon. John Molel.....Member

In Attendance

1. Timothy Korir.....Research Officer
2. Calvin Kitur.....Legal officer
3. Dickson Cheruiyot.....Committee Clerk

Agenda

1. Preliminaries
2. Confirmation of previous minutes
3. Matter arising
4. To study the petition to The County Assembly (Procedure) Bill, 2015.
5. A.O.B

Min.56/Aug/2015 Preliminaries

The meeting started after the required quorum was attained and opening prayers was said by Hon. Leah Kirui.

Min.57/Aug/2015 Confirmation of previous minutes

The minutes of the meeting held on 7th August 2015 were confirmed by being proposed by Hon. Reuben Langat and seconded by Hon. Leonard Kirui as the true reflection of the record of what was discussed and resolved on in that day.

Min.58/Aug/2015 Matters arising from previous meeting

The minutes of meeting held on 9th, 27th and 30th July was not confirmed and will be confirmed during the next meeting.

Corrections made.

1. Min 52/Aug/2015 under item on the last sentence, the word **"on"** was deleted as a correction.
2. Min 54/Aug/2015 **"on"** was inserted between the words aware and what under the second sentence to grammatically correct the sentence.
3. Min 54/Aug/2015 under item 1, the sentence was corrected by deleting the word **"of"** was omitted.
4. Time limit for the reports which Hon. Serbai and Hon. Joyce promised to table previously before the committee. Letters be sent to the two members and their names should be indicated in the previous minutes.
5. The recommendations of the EACC report on the cases of corruption will be examined by this Adhoc committee.

Min.59/Aug/2015 to study the petition to The County Assembly (Procedure) Bill, 2015.

The chairperson informed the committee on the day's agenda that by going through the Petition to The County Assembly Act 2015, the committee will be able to act on the relevant issues pertaining the petition and know if the petitioner met all the requirements touching petitions.

The legal officer then took the committee through the Act.

Committee Resolutions

- The petitioner met all the requirements on the standard characteristic of a petition.
- That during the tabling of the report on the findings after conclusively deliberating on the petition, it is advisable to invite the petitioner and even the public since this is part of public participation.
- The views of the budget office and what the Budget & Appropriation committee on the C.O.B reports should also be availed to this adhoc committee.

Min 60/July/2015 A.O.B

There was no other business for discussion. The next meeting will be on Thursday 13th August and thereafter closing prayers was said by Hon. Leah Kirui.

CONFIRMATION

Chairperson

Hon. Aurelia

Chepkirui.....

AAC

Sign.....

13/08/2015

.....Date

Committee clerk

Dickson

Cheruiyot.....

DKW

Sign.....

13-Aug-2015

.....Date

MINUTES OF ADHOC COMMITTEE MEETING HELD ON
WEDNESDAY 5TH AUGUST 2015 FROM 1:00PM AT
COMMITTEE ROOM 2.

(14)

PRESENT

1. Hon. Aurelia Chepkirui.....Chairperson
2. Hon. Leonard Kirui.....V/Chairperson
3. Hon. Reuben Langat.....Member
4. Hon. Samson Towett.....Member
5. Hon. Leah Kirui.....Member
6. Hon. John Molel.....Member
7. Hon. Christopher Ngeno.....Member

Agenda

1. Preliminaries
2. Confirmation of previous minutes
3. Matter arising
4. Election of chairperson and V/chairperson
5. A.O.B

Min 45/Aug/2015 Preliminaries

The meeting started after the required quorum was attained and opening prayers was said by Hon. Leonard Kirui.

Min46/Aug/2015 Confirmation of previous minutes

The minutes of the meeting held on 30th July 2015 were not confirmed by rather it was deferred for confirmation during the next meeting.

Min.47/Aug/2015 Matters arising from previous meeting

Subject to confirmation of the minutes of that meeting which was held on

Min.48/Aug/2015 Election of chairperson and V/chairperson

The outgoing Chairperson introduced the agenda of the day by informing the committee that the day's agenda is as a result of dissolution of the previous membership of the committee and re-constitution of the same. Apparently it became necessary to elect the leadership (chairperson and v/chairperson) of the committee. She further notified the committee especially the new members that this adhoc committee is deliberating on the petition by Rev. Ambrose Kimutai on the alleged corruption in Bomet County.

The committee clerk then presided over the election of the chairperson and v/chairperson.

Resolution

Hon. Reuben Langat proposed while Hon. Samson Towett seconded that the leadership remains as it was by retaining Hon. Aurelia Chepkirui and Hon. Leonard Kirui to be the Chairperson and vice chairperson respectively. All the other members were in agreement that Hon. Aurelia Chepkirui and Hon. Leonard Kirui shall be the Chairperson and vice chairperson respectively until this adhoc committee concludes its business.

The chairperson then reminded the committee on the code of conduct to be adhered to which are as follows maintaining Confideliaty, Cooperation, Punctuality, Focus and Unbiasness.

And finally she reminded the committee that they have 21 days to examine the issues and table a report on the findings.

Min 50/July/2015 A.O.B

There was no other business for discussion and therefore said closing prayers.

CONFIRMATION

Chairperson

Hon. Aurelia
Chepkirui.....*AK*.....Sign.....*7/08/2015*.....Date

Committee clerk

Dickson
Cheruiyot.....*Dickson*.....Sign.....*7/Aug/2015*.....Date

MINUTES OF ADHOC COMMITTEE MEETING HELD ON 30TH
JULY 2015 AT 12:00PM AT COMMITTEE ROOM 2.

(15)

PRESENT

1. Hon. Aurelia Chepkirui.....Chairperson
2. Hon. Leonard Kirui.....V/Chairperson
3. Hon. Robert Bett.....Member
4. Hon. Josphine Rotich.....Member
5. Hon. Benard Ngeno.....Member
6. Hon. Josphat Kirui.....Member
7. Hon. Patrick chepkwony.....Member
8. Hon. Joyce Korir.....Member.
9. Hon. Christopher Ngeno.....Member

Absent

1. Hon. Robert Serbai.....Member
2. Hon. Nancy Chepkirui.....Member.
3. Hon. Sammy Chelule.....Member
4. Hon. Stephen Changmorik.....Member
5. Hon. Cecilia Towett.....Member
6. Hon. Bency Too.....Member
7. Hon. Philip Korir.....Member
8. Hon. John Molel.....Member

Agenda

1. Preliminaries
2. Confirmation of previous minutes
3. Matters arising
4. Election of chairperson and way forward on the challenges facing the
adhoc committee
5. A.O.B

Min 40/July/2015 Preliminaries

The meeting started after the required quorum was attained and opening prayers was said by Hon. Joyce Korir

Min 41/July/2015 Confirmation of previous minutes

The minutes of the meeting held on 9th and 27th July 2015 were not confirmed by but rather was deferred for the next meeting.

Min.42/July/2015 Matters arising from previous meeting

Subject to confirmation of the minutes of a meeting held on 27th July.

Min.43/July/2015 Election of chairperson and way forward on the challenges facing the adhoc committee

The Chairperson introduced the agenda of the day by reminding the members that she had previously notified the committee that she has resigned from chairing this adhoc committee. Therefore it is high time to elect a new chairperson.

Resolution

- The matter on electing another chairperson will be addressed later after the following issues is raised and addressed during the plenary session.
- Current membership will be reconstituted
- Current number of members will be reduced
- Challenge of time adherence will be solved to address the constant delay is attaining quorum.

Therefore the re-election of a chairperson failed to take place pacing on the above resolutions. Communication on the matter will then be made later.

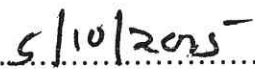
Min 44/July/2015 A.O.B

There was no other business for discussion and therefore Hon. Josphine said closing prayers.

CONFIRMATION

Chairperson

Hon. Aurelia

Chepkirui..........Sign..........Date

Committee clerk

Dickson

Cheruiyot..........Sign..........Date

MINUTES OF ADHOC COMMITTEE MEETING HELD ON 27TH
JULY 2015 AT 2:30PM AT COMMITTEE ROOM 3.

PRESENT

1. Hon. Aurelia Chepkirui.....Chairperson
2. Hon. Leonard Kirui.....V/Chairperson
3. Hon. Sammy Chelule.....Member
4. Hon. Bency Too.....Member
5. Hon. Philip Korir.....Member
6. Hon. Stephen Changmorik.....Member
7. Hon. Robert Bett.....Member
8. Hon. Cecilia Towett.....Member
9. Hon. Nancy Chepkirui.....Member.

Absent

1. Hon. Josphine Rotich.....Member
2. Hon. Robert Serbai.....Member
3. Hon. Benard Ngeno.....Member
4. Hon. Josphat Kirui.....Member
5. Hon. Patrick chepkwony.....Member
6. Hon. Joyce Korir.....Member.
7. Hon. John Molel.....Member
8. Hon. Christopher Ngeno.....Member

Agenda

1. Preliminaries
2. Confirmation of previous minutes
3. Matters arising
4. Examination of Auditor General Report of January-June 2013 for the financial operations of Bomet County
5. Notification from the current chairperson on the decision to re-elect another chairperson.
6. A.O.B

Min 34/July/2015 Preliminaries

The meeting started after the required quorum was attained and opening prayers was said by Hon. Changmorik

Min 35/July/2015 Confirmation of previous minutes

The minutes of the meeting held on 9th July 2015 were not confirmed by but rather was deferred for the next meeting.

Min.36/July/2015 Matters arising from previous meeting

Subject to confirmation of the minutes of a meeting held on 9th July.

Min.37/July/2015 Notification from the current chairperson on the decision to re-elect another chairperson.

The Chairperson introduced the agenda of the day. The chairperson notified the committee that she intends to relinquish the position of chairperson of this adhoc committee deliberating on the petition by Rev. Ambrose Kimutai. The re-election of another chairperson of the committee could have been done but it will be advisable if all the members were notified and should also be all present.

Resolution

The matter on electing another chairperson will be held on Thursday 30th July and all members will be notified.

Min 38/July /2015 Examination of Auditor General Report of January-June 2013 for the financial operations of Bomet County

The committee was supposed to examine the report but this agenda was re-scheduled to Thursday 30th July. The members should be provided with the copies for purposes of familiarization with the contents of the report.

Min 39/July/2015 A.O.B

The next meeting will be held on Thursday 30th July as from 10:00am and the agenda will be election of chairperson after which the analysis of the Auditor General Report will proceed.

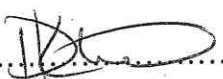
There was no other business for discussion and therefore Hon. Bency Too said closing prayers.

CONFIRMATION

Chairperson

Hon. Aurelia
Chepkirui..........Sign.....5/10/2015.....Date

Committee clerk

Dickson
Cheruiyot..........Sign.....5/10/15.....Date

MINUTES OF ADHOC COMMITTEE MEETING HELD ON 9TH
JULY 2015 AT 12:45PM AT COMMITTEE ROOM 3.

PRESENT

1. Hon. Aurelia Chepkirui.....Chairperson
2. Hon. Leonard Kirui.....V/Chairperson
3. Hon. Josphine Rotich.....Member
4. Hon. Nancy Chepkirui.....Member
5. Hon. Sammy Chelule.....Member
6. Hon. John Molel.....Member
7. Hon. Christopher Ngeno.....Member
8. Hon. Bency Too.....Member
9. Hon. Robert Serbai.....Member
10. Hon. Philip Korir.....Member
11. Hon. Patrick chepkwony.....Member
12. Hon. Joyce Korir.....Member.

Absent

1. Hon. Stephen Changmorik.....Member
2. Hon. Robert Bett.....Member
3. Hon. Cecilia Towett.....Member
4. Hon. Benard Ngeno.....Member
5. Hon. Joshat Kirui.....Member

Agenda

1. Preliminaries
2. Confirmation of previous minutes
3. Matters arising
4. Examination of controller of Budget Report 3rd Quarter of 2014-2015
5. A.O.B

Min 30/July/2015 Preliminaries

The meeting started after the required quorum was attained and opening prayers was said by Hon. Chelule

Min 31/July/2015 Confirmation of previous minutes

The minutes of the meeting held on 7th June 2015 were confirmed by being proposed by Hon. Bency Too and seconded by Hon. Chelule as the true reflection of the agenda, discussions and resolutions in that day.

Min.32/July/2015 Matters arising from previous meeting

Overdraft issue in 2013/14

The issue of overdraft which had been handled by another committee but still this Adhoc committee will analyse and adopt the recommendations in that report.

Item under Min 25/July/2015 was corrected to read as "that the issue of drivers who were initially recruited should have been confirmed and that no additional recruitment should be carried out" Correction was also made that the executive including the sub-county administrators has never been concerned over the issue.

On the issue of overdraft, correction was made that even if the matter had been addressed sometimes back; this adhoc committee will still look at it and even adopts those recommendations. As per the PFM Act the overdraft is meant only for development and not recurrent expenditure, therefore it was also wrong for the County Assembly to approve the overdraft.

There was a report that was supposed to be tabled by one of the members to proof and substantiate the existence of ghost worker and irregular employment in Bomet County. This will be tabled on Monday.

On the issue of contracts, document of evidence of malpractices in the process will be availed to back up on existing alleged corruption in Bomet County.

Min.33/July/2015 Analysis of the Controller of Budget 3rd Quarter Report of 2014/15 for Bomet County

The Chairperson introduced the agenda and that this report covers the first 9 months of 2014/15. She read through the contents of the report. In the f/y 2014/15, the approved budget for Bomet County amounts to Ksh.4.60 billion with ksh.1.90 billion (41.3%) allocated to recurrent expenditure and 2.70 billion (58.7%) to development approved. During the first 9 months the county had spent a total of Ksh.2.89 billion which was 98.5% of the total funds released. At this time the recurrent expenditure stood at 52.2% of the funds released for recurrent activities and while development was 46.35% of the funds released for development activities

The CoB report noted that Bomet County experienced the following challenges/issues which affected budget implementation during the 3rd Quarter of 2014/15.

- 1) Inadequate monitoring of the County budget resulted in overdrawing of some votes.

Min.32/July/2015 Matters arising from previous meeting

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The CoB report noted that Bomet County experienced the following challenges/issues which affected budget implementation during the 3rd Quarter of 2014/15.

- 1) Inadequate monitoring of the County budget resulted in overdrawing of some votes.

- 2) Failure to submit quarterly financial statements on the established County Funds contrary to section 167 and 169 of the PFM Act, 2012.
- 3) A weak monitoring and evaluation system for development projects
- 4) Implementation of projects not contained in the budget, such as the construction of Governor's office and Sigor High School a building which was moved from its original site to pave way for the proposed Bomet University.
- 5) Operationalization of established County Funds such as the County Enterprise Fund and Emergency Fund without approved regulations.
- 6) A high wage bill due to continuous staff recruitment that may result in unsustainable salary costs.

The CoB Report recommended that the following should be implemented by Bomet County for purposes of effective budget implementation.

- 1) The County Treasury should monitor budget execution through regular reports in order to minimise instances of overdrawing the votes.
- 2) The county should submit quarterly report on the established Funds in line with Section 168 of the PFM Act of 2012
- 3) The county should put in place adequate monitoring and evaluation frameworks for monitoring and implementation of development projects.
- 4) The County Government should strictly adhere to activities contained in the annual budget
- 5) All established County Funds should be supported by regulations duly approved by the County Assembly before operationalization.
- 6) The County should liaise with the National Government to address the rising wage bill.

Committee Discussions

Some programs were funded by Bomet County Government yet it was not approved by the County Assembly in the 2014/15 Budget for example construction of classrooms for Mis Mis secondary school and purchase of land for the same. It should be noted that funding of learning institutions is the role of National Schools is not county. Here funds were misappropriated.

The issue of funding of multipurpose cooperatives societies in the County was illegal since there was no legislation in place.

AIA has been frequently issued yet the money was not in the account. There are cases of AIA issued beyond 6 months rendering it invalid. The issue of

irregular employment was also common in 2014/15 as reported in the 3rd Quarter report of the CoB.

The C.o.B report for 3rd quarter of 2014/15 failed to capture the excessive expenditure on fuel and in repair and maintenance. For example the vehicle registration no. KBY 340 land rover belonging to the sub-county administrator of Konoin uses Ksh.600, 000 every month on fuel.

Vehicle belonging to Bomet County are commonly seen under repair yet they are new. Cases of private Lorries transporting murram and paid Ksh.8000 per trip should be investigated on which, criteria was used and who ordered that the owner be paid Ksh.8000 per trip. The CEC for Transport will be invited to shed more light on these two matters.

Cases of corruption have been witnessed in the consumption of fuel by staff of the County. One supplier has been conspiring with some officers of the County to fleece public funds in the process of consuming fuel. Fuel worth Ksh.2000 was used but while invoicing Ksh.7000 was indicated meaning Ksh.4000 is shared between the consumer and the supplier. CEC for transport should clarify the issue and PAC/PIC will carry out their own investigation.

Committee Resolutions

- It was resolved that a list of all County vehicles involved in accidents should be availed accompanied with the names of the concerned drivers and the validity of their driving licences-CEC for Transport.
- That the CEC and chief officer for transport should clarify why private lorries are paid Ksh.8000 per trip, which criteria was used to arrived at this amount and who gave directive that this amount be used.
- The CEC for Transport should explain and substantiate with vehicle work tickets why vehicles used by Konoin Sub-County Administrator consumed fuel worth Ksh.600, 000 per month. A list of work tickets for County vehicles for the period of 2014/15 be provided by the CEC for Transport
- The committee resolved that the other issues of corruption and documentation touching on different sectors should be provided for instance water sector, coolers and even cheques issued to schools only to bounce due to insufficient funds in account of the drawer.
- It was resolved that all the witnesses be invited to attend the adhoc committee meeting on Wednesday 15th July but at different times of the day.

- It was resolved that the committee clerk be assigned an assistant since the current committee clerk is also clerking for water and finance.
- The committee will examine all the evidences of the claims before the cross examination of the witnesses.

Min 27/July /2015 A.O.B

The reports which are still pending include the Auditor General Reports, CIDP and EACC reports

The next meeting will be held on Monday 13th July as from 10:00am and the agenda will be Analysis of the Auditor General Report.

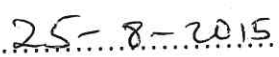
There was no other business for discussion and therefore Hon. Bency said closing prayers.

CONFIRMATION

Chairperson

Hon. Aurelia
Chepkirui..........Sign..........Date

Committee clerk

Dickson
Cheruiyot..........Sign..........Date

MINUTES OF ADHOC COMMITTEE MEETING HELD ON 7TH
JULY 2015 AT 11:40AM AT THE COMMITTEE ROOM.

PRESENT

1. Hon. Aurelia Chepkirui.....Chairperson
2. Hon. Leonard Kirui.....V/Chairperson
3. Hon. Josphine Rotich.....Member
4. Hon. Nancy Chepkirui.....Member
5. Hon. Sammy Chelule.....Member
6. Hon. John Molel.....Member
7. Hon. Josphat Kirui.....Member
8. Hon. Christopher Ngeno.....Member
9. Hon. Bency Too.....Member
10. Hon. Robert Serbai.....Member
11. Hon. Philip Korir.....Member
12. Hon. Patrick chepkwony.....Member
13. Hon. Benard Ngeno.....Member

Absent

1. Hon. Stephen Changmorik.....Member
2. Hon. Joyce Korir.....Member.
3. Hon. Robert Bett.....Member
4. Hon. Cecilia Towett.....Member

Agenda

1. Preliminaries
2. Confirmation of previous minutes
3. Matters arising
4. Examination of Controller of Budget Report for 2013-2014
5. A.O.B

Min 27/July/2015 Preliminaries

Immediately the quorum was attained, the opening prayers was said by Hon. Nancy

Min 28/July/2015 Confirmation of previous minutes

The minutes of the meeting held on 30th June 2015 were confirmed by being proposed by Hon. Leonard and seconded by Hon. Christopher Ngeno as the true reflection of the agenda and resolutions in that day.

Min.24/July/2015 Matters arising from previous meeting

None

Min.25/July/2015 Analysis of the Controller of Budget 2013/14 Report for Bomet County

The Chairperson introduced the agenda and welcomed the members to give observations which were as follows.

Bomet County experienced the following challenges/issues which affected budget implementation during 2013/14.

- Intermittent use of IFMIS and manual systems to record accounting transactions and this resulted in overdrawing of some votes, that was noted when manual transactions were uploaded into IFMIS.
- Failure to charge recurrent expenditures to respective cost centres or departments, which made it difficult to ascertain how much individual department incurred during the period under review.
- The County spent ksh.59.1 million as cash transfers for the elderly, an item against which no finding had been requested for or approved by the CoB. This implies that funds approved for other activities per submitted work plans were channelled to this activity.
- Lack of a monitoring and evaluation framework for development projects which contributed to delay in reporting of some development activities.

In relation to the above issues, the CoB recommended the following measures be adopted by Bomet County.

- Fully adopt IFMIS in the County's financial management.
- Assign accounting officers to each department who should account for the department's budget and report on spending.
- Funds released should be utilized in line with the planning framework and for the purpose of which funds are approved by the Controller of Budget.
- Develop a monitoring and evaluation reporting framework to facilitate monitoring of development projects.

The committee discussions were as follows:

Payment of cash transfers for the Elderly

59.1 million was paid to the elderly and yet it has not been approved by the CoB. Furthermore, there were complaints from the beneficiaries that they

did not receive the funds. Though the Assembly approved the transfer, the CoB did not approve the expenditure of this money.

Issues the committee wants clarified

The section of the PFM Act and the vote which the CEC used to authorise the expenditure of the Ksh.59.1 million as cash transfers to the elderly.-This is directed to the CEC for finance.

The committee wanted to know the repercussions of proceeding to spent a certain vote even after the CoB rejected the expenditure on that particular vote.

Intermittent use of IFMIS and manual systems to record accounting transactions.

The committee noted that there were three different budgets in the 2014/15. The committee resolved that this issue will be addressed by the CEC-Finance.

Failure to charge recurrent expenditures to respective cost centres or departments.

The committee noted that the expenditure by each department cannot be known. Furthermore there are cases of 200 persons employed in this County of Bomet. They are in high job group yet have less than a year of experience, others are class eight level in job group D and what is shocking is that they were never approved by the CPSB and they are earning. The existence of ghost workers made the departments not to be able to determine how much they spent in recurrent expenditure. There is a list of proof of the matter and will be provided to the committee. The CPSB is not aware of the exact number of employees including the casuals. There are employees working in a different field as compared to their curriculum vitae. Others who have been employed rarely attend their duty station nor are they seen performing the said duties.

Committee recommendation

The CPSB should provide letters of proof that they have notified the county secretary over the list of people employed illegally. The case of the drivers who were employed and disapproved County Assembly and even the Governor was concerned about it but the recommendations has been effected as it should be. The same applies to the Ward administrators who were employed without passing through the CPSB

Lack of a monitoring and evaluation framework for development projects

Quarterly reports were not addressed on time in accordance to Article 183(3) of the Constitution of Kenya by the CEC

Unaccountable use of public funds as budgeted was rampant due to lack of monitoring and evaluation structures.

The committee recommend once the CEC for finance is invited before this committee he should explain why monitoring and evaluation framework was not done.

Cases of figures as budgeted for spending did not add up, for example for projects allocated some amount but was not completed and the unused amount cannot be known. In the case of roads and tippers, the criteria used to allocate money to owners of tippers should be explain by the CEC for roads eg ksh.8000 paid to the owner per trip, who is monitoring this, how many lorries are transporting murram ,how per trip is paid.

The registration numbers of these Lorries should also be known. The CEC should tell this committee, why private and old lorries/tippers are transporting the murram but the county owned Lorries are under repair yet they are still new.

There are cases of private and county owned Lorries working together, how will valuation be done? The reports should be given concerning this system. The same to roads funded by National Government and the County how will valuation be done for each. The contractors who are in charge of roads construction were they all pre-qualified and how was tendering done.

The CEC for roads should explain how many KM of roads has the county Lorries done and which are these roads.

In terms of county projects, the county uses labour based and the contractor is paid, who is supplying the material?

Overdraft issue in 2013/14

The issue of overdraft had been handled by another committee therefore and this committee will determine way forward on this

Min 26/July /2015 A.O.B

The next meeting will be held on Thursday 9th July as from 10:00am and the agenda will be Analysis of the 3rd quarter Report

There was no other business of transaction hence Hon. Josphine said closing prayers.

CONFIRMATION

Chairperson

Hon. Aurelia

Chepkirui.....

ARC,

Sign.....

9/7/2015

.....Date

Committee clerk

Dickson

Cheruiyot.....



Sign.....

9/7/15

.....Date

**MINUTES OF ADHOC COMMITTEE MEETING HELD ON 30TH
JUNE 2015 AT 12:00PM AT THE LOUNGE.**

PRESENT

1. Hon. Aurelia Chepkirui.....Chairperson
2. Hon. Leonard Kirui.....V/Chairperson
3. Hon. Josphine Rotich.....Member
4. Hon. Nancy Chepkirui.....Member
5. Hon. Sammy Chelule.....Member
6. Hon. John Molel.....Member
7. Hon. Josphat Kirui.....Member
8. Hon. Cecilia Towett.....Member
9. Hon. Christopher Ngeno.....Member
10. Hon. Robert Bett.....Member
11. Hon. Bency Too.....Member
12. Hon. Robert Serbai.....Member
13. Hon. Philip Korir.....Member
14. Hon. Patrick chepkwony.....Member
15. Hon. Joyce Korir.....Member

Absent

1. Hon. Benard Ngeno.....Member
2. Hon. Stephen Changmorik.....Member

Agenda

1. Preliminaries
2. Confirmation of previous minutes
3. Matters arising
4. Examination of Budget controller Reports- 2013-2014 1st and 2nd quarter
CoB
5. A.O.B

Min 22/June/2015 Preliminaries

Immediately the quorum was attained, the opening prayers was said by
Hon. Josphat Kirui

Min 23/June/2015 Confirmation of previous minutes

The minutes of the meeting held on 26th June 2015 were confirmed by being proposed by Hon. Cecilia Towett and seconded by Hon. Philip Korir as the true reflection of the agenda and resolutions in that day.

Min.24/June/2015 Matters arising from previous meeting

None

Min.25/June/2015 Examination of Budget controller Reports- 2013-2014 1st and 2nd quarter C.o.B

The Chairperson introduced the agenda and welcomed the members to give their views based on the findings. However; the committee were given more time to read through the reports before the commencement of the discussion

Resolutions

The committee agreed that:

The committee was given more time to read through the Controller of budget reports.

Min 26/June /2015 A.O.B

The next meeting will be held on Monday 6th July as from 10:00am

There was no other business of transaction hence Hon. Nancy said closing prayers.

CONFIRMATION

Chairperson

Hon. Aurelia
Chepkirui..........Sign.....7/7/2015.....Date

Committee clerk

Dickson
Cheruiyot..........Sign.....7/7/15.....Date

MINUTES OF ADHOC COMMITTEE MEETING HELD ON 25TH
JUNE 2015 AT 12:10PM AT THE LOUNGE.

PRESENT

1. Hon. Aurelia Chepkirui.....Chairperson
2. Hon. Leonard Kirui.....V/Chairperson
3. Hon. Josphine Rotich.....Member
4. Hon. Nancy Chepkirui.....Member
5. Hon. Sammy Chelule.....Member
6. Hon. John Molel.....Member
7. Hon. Josphat Kirui.....Member
8. Hon. Cecilia Towett.....Member
9. Hon. Christopher Ngeno..... Member
10. Hon. Robert Bett.....Member
11. Hon. Bency Too.....Member
12. Hon. Robert Serbai.....Member
13. Hon. Philip Korir.....Member
14. Hon. Patrick chepkwony.....Member
15. Hon. Joyce Korir.....Member

Absent

1. Hon. Benard Ngeno.....Member
2. Hon. Stephen Changmorik.....Member

Agenda

1. Preliminaries
2. Confirmation of previous minutes
3. Matters arising
4. Way forward having briefing by the petitioner
5. A.O.B

Min 17/June/2015 Preliminaries

Immediately the quorum was attained, the opening prayers was said by Hon. Cecilia Towett

Min 18/June/2015 Confirmation of previous minutes

The minutes of the meeting held on 15th June 2015 were confirmed by being proposed by Hon. Christopher Ngeno and seconded by Hon. Joyce Korir as the true reflection of the agenda and resolutions in that day.

Min.19/June/2015 Matters arising from previous meeting

The following correction was made vide Min.15/6/2015

"That County funds seem to have been blocked by National Government."

Min.20/June/2015 Way forward having briefing by the petitioner

The Chairperson introduced the agenda and welcomed the members to contribute.

Resolutions

The committee agreed that:

- a. Any other relevant document that will support the allegations of corruption should be availed to purposes of substantiating the report.
- b. The committee will review and examine the documents one by one starting with the ones that are ready.
- c. The controller of Budget report will be the first to be examined.
- d. Once all the documents have been exhausted, other witnesses will then be invited should need arises.

Min 21/June /2015 A.O.B

The next meeting will be held on Monday 29th June as from 10:00am

There was no other business of transaction hence Hon. Nancy said closing prayers.

CONFIRMATION

Chairperson

Hon. Aurelia

Chepkirui.....*AKC*.....Sign.....*30/6/2015*.....Date

Committee clerk

Dickson

Cheruiyot.....*DBW*.....Sign.....*30/6/15*.....Date

**MINUTES OF ADHOC COMMITTEE MEETING HELD ON 15TH
JUNE 2015 AT 10:30AM AT THE LOUNGE.**

PRESENT

1. Hon. Aurelia Chepkirui.....Chairperson
2. Hon. Leonard Kirui.....V/Chairperson
3. Hon. Josphine Rotich.....Member
4. Hon. Nancy Chepkirui.....Member
5. Hon. Sammy Chelule.....Member
6. Hon. John Molel.....Member
7. Hon. Josphat Kirui.....Member
8. Hon. Cecilia Towett.....Member
9. Hon. Christopher Ngeno.....Member
10. Hon. Robert Bett.....Member
11. Hon. Stephen Changmorik.....Member
12. Hon. Bency Too.....Member
13. Hon. Benard Ngeno.....Member
14. Hon. Robert Serbai.....Member
15. Hon. Philip Korir.....Member
16. Hon. Patrick chepkwony.....Member
17. Hon. Joyce Korir.....Member

In Attendance

Reverend Father Ambrose Kimutai Tonui of Segemik Holy Spirit Catholic Parish.

Agenda

1. Preliminaries
2. Confirmation of previous minutes
3. Matters arising
4. Meeting with the Petitioner (Rev.Fr. Ambrose) over the prayers he requested to be addressed.
5. A.O.B

Min 12/June/2015 Preliminaries

Immediately the quorum was attained, the chairperson called the meeting to order and requested Hon. Changmorik to pray.

Min 13/June/2015 Confirmation of previous minutes

The minutes of the meeting held on 11th June 2015 were confirmed by being proposed by Hon. Nancy and seconded by Hon. Bett as the true reflection of the agenda and resolutions in that day.

Min.14/June/2015 Matters arising from previous meeting

The committee further tasked the committee clerk to collect and avail the following reports in the next meeting.

- EACC Report on the recently mentioned corruption cases.
- Auditor General Report for the defunct county council of Sotik and Bomet.
- The Auditor General Report on the operations of the defunct Municipal Council of Bomet
- The Report of the Auditor General on the operations of Tililbei and Chemosit Water Company

Min.15/June/2015 Meeting with the Petitioner (Rev.Fr. Ambrose) over the prayers he requested to be addressed.

The Chairperson welcomed the petitioner to further brief the committee on what else the petition seeks to address.

Briefings by the petitioner. Rev. Ambrose Kimutai

That it his prayers that the truth be establish on cases of corruption that have been reported in Bomet County and the County CEO has been adversely mentioned both in the media and locally. The citizens of this County need to know the truth due to.

1. The political tensions that have occurred between County and National Governments which have scared away potential investors.

2. That projects have stalled in the Bomet County due the blockage of funding to the County by.

- The petitioner informed the Committee considering the matter that it is only the County Assembly which is the sole oversight body in Bomet County and which is able to determine and establish where the truth lies in this case.
- The petitioner further informed the committee that these seven prayers is meant to be used as guideline to address the issue by unravelling and revealing the truth.
- The petitioner also wants all the areas where corruption has impacted to be dealt on adequately, sufficiently and exhaustively.

- That the documents/reports so far tabled be table afresh by ensuring the recommendations are attached to the report. This is because some documents so far tabled have not been accessed by the public.

Min 16/June /2015 A.O.B

The next meeting will be held on Thursday 18th June as from 10:00am

There was no other business of transaction hence Hon. Nancy said closing prayers.

CONFIRMATION

Chairperson

Hon. Aurelia

Chepkirui..........Sign..........Date

Committee clerk

Dickson

Cheruiyot..........Sign..........Date

(22)

MINUTES OF ADHOC COMMITTEE MEETING HELD ON 11TH
JUNE 2015 AT 1:00PM AT COMMITTEE ROOM 3.

PRESENT

1. Hon. Aurelia Chepkirui.....Chairperson
2. Hon. Leonard Kirui.....V/Chairperson
3. Hon. Josphine Rotich.....Member
4. Hon. Nancy Chepkirui.....Member
5. Hon. Sammy Chelule.....Member
6. Hon. John Molel.....Member
7. Hon. Josphat Kirui.....Member
8. Hon. Christopher Ngeno.....Member
9. Hon. Robert Bett.....Member
10. Hon. Stephen Changmorik.....Member
11. Hon. Bency Too.....Member
12. Hon. Benard Ngeno.....Member

ABSENT

1. Hon. Robert Serbai.....Member
2. Hon. Cecilia Towett.....Member
3. Hon. Philip Korir.....Member
4. Hon. Patrick chepkwony.....Member

APOLOGIES

1. Hon. Joyce Korir.....Member

Agenda

1. Preliminaries
2. Confirmation of previous minutes
3. Matters arising
4. To list, Collect and avail all the relevant documents including reports to the committee prior to deliberating on the issues under petition.
5. A.O.B

Min 12/June/2015 Preliminaries

Immediately the quorum was attained, the chairperson called the meeting to order and said to pray.

Min 13/June/2015 Confirmation of previous minutes

Chairperson

Hon. Aurelia

Chepkirui.....



Sign.....

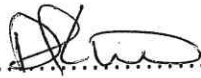
15/6/2015

.....Date

Committee clerk

Dickson

Cheruiyot.....



Sign.....

15/6/15

.....Date

**MINUTES OF ADHOC COMMITTEE MEETING HELD ON 8TH
JUNE 2015 AT 1:30PM AT THE LOUNGE.**

PRESENT

1. Hon. Aurelia Chepkirui.....Chairperson
2. Hon. Leonard Kirui.....V/Chairperson
3. Hon. Josphine Rotich.....Member
4. Hon. Nancy Chepkirui.....Member
5. Hon. Sammy Chelule.....Member
6. Hon. John Molel.....Member
7. Hon. Josphat Kirui.....Member
8. Hon. Cecilia Towett.....Member
9. Hon. Christopher Ngeno..... Member
10. Hon. Robert Bett.....Member
11. Hon. Stephen Changmorik.....Member
12. Hon. Bency Too.....Member
13. Hon. Benard Ngeno.....Member
14. Hon. Robert Serbai.....Member

ABSENT

1. Hon. Philip Korir.....Member
2. Hon. Patrick chepkwony.....Member
3. Hon. Joyce Korir.....Member

Agenda

1. Preliminaries
2. Confirmation of previous minutes
3. Matters arising
4. To formulate the program schedule that will guide the committee in its deliberation on the petition.
5. A.O.B

Min 7/June/2015 Preliminaries

Immediately the quorum was attained, the chairperson called the meeting to order and requested Hon. Nancy to pray.

Min 8/June/2015 Confirmation of previous minutes

The minutes of the meeting held on 3rd and 4th June 2015 were confirmed by being proposed by Hon. Bency and seconded by Hon. Bett as the true reflection of the agenda and resolutions in those days.

Min. 9/June/2015 Matters arising from previous meeting

The chair, as a matter of concern, informed the members that a lot is still needed to be dispensed and that the members need to keep time over the scheduled meetings since this will enable the committee to deliberate and conclude on the petition. This is in relation to the supposed meeting on 4th June which had to be adjourned for lack of quorum

Min.10/June/2015 to formulate program schedule that will guide the committee in its deliberation on the petition.

The committee discussions on the witnesses to be invited were as follows in relation to the petition

- The County public service Board
- Auditor General
- Controller of Budget-
- The petitioner
- EACC
- CEC- Finance over CIDP and budgets

Committee Resolutions

1. That the petitioner be invited to appear before the Adhoc committee on Monday 15th June at 10:00am to further furnish it on his prayers.
2. That meanwhile the clerk assistant to collect and avail the following reports.
 - Auditor General Report
 - Controller of Budget Report
 - PAC/PIC Reports
 - Budget and Appropriation Reports
 - CIDP
 - EACC Reports
3. The legal team to confirm if EACC report on the cases of corruption table in the National Assembly should also be table before the County Assembly

Min 11/June /2015 A.O.B

The chair was requested by the committee to seek for more time to conclusively deliberate on the petition.

There was no other business hence Hon. Cecilia said closing prayers.

CONFIRMATION

Chairperson

Hon. Aurelia
Chepkirui.....*AKC.*.....Sign.....*11/6/2015*.....Date

Committee clerk

Dickson
Cheruiyot.....*Dickson*.....Sign.....*11-6-2015*.....Date

ADJOURNED FOR LACK OF QUORUM

MINUTES OF ADHOC COMMITTEE MEETING HELD ON 4TH JUNE 2015 AT 3:30-1:20PM AT LOUNGE.

PRESENT

1. Hon. Aurelia Chepkirui.....Chairperson
2. Hon. Leonard Kirui.....V/Chairperson
3. Hon. Josphine Rotich.....Member
4. Hon. Nancy Chepkirui.....Member
5. Hon. Sammy Chelule.....Member
6. Hon. Joyce Korir.....Member
7. Hon. Jonh Molel.....Member

ABSENT

1. Hon. Josphat Kirui.....Member
2. Hon. Cecilia Towett.....Member
3. Hon. Christopher Ngeno..... Member
4. Hon. Philip Korir.....Member
5. Hon. Robert Bett.....Member
6. Hon. Stephen Changmorik.....Member
7. Hon. Bency Too.....Member
8. Hon. Benard Ngeno.....Member
9. Hon. Patrick chepkwony.....Member
10. Hon. Robert Serbai.....Member

Agenda

1. Preliminaries
2. Confirmation of previous minutes
3. Matters arising
4. To formulate the program schedule that will guide the committee in its deliberation on the petition.
5. A.O.B

Min 4/June/2015 Preliminaries

The chairperson called the meeting to order and requested Hon. Nancy to say opening prayers

Min 5/June/2015 Adjournment

The meeting could not proceed and the agenda of the day was not addressed because the quorum was not attained. It was then adjourned to Monday

Min. 6/June/2015 A.O.B

There was no other business hence Hon. Josphine said closing prayers.

CONFIRMATION

Chairperson

Hon. Aurelia Chepkirui..........Sign..........Date

Committee clerk

Dickson Cheruiyot..........Sign..........Date

MINUTES OF ADHOC COMMITTEE MEETING HELD ON 3RD JUNE 2015 AT 12:20-1:20PM AT LOUNGE.

PRESENT

1. Hon. Aurelia Chepkirui.....Chairperson
2. Hon. Leonard Kirui.....V/Chairperson
3. Hon. Christopher Ngeno..... Member
4. Hon. Philip Korir.....Member
5. Hon. Josphine Rotich.....Member
6. Hon. Cecilia Towett.....Member
7. Hon. Bency Too.....Member
8. Hon. Nancy Chepkirui.....Member
9. Hon. Sammy Chelule.....Member
10. Hon. Robert Bett.....Member
11. Hon. Stephen Changmorik.....Member

ABSENT

1. Hon. Josphat Kirui.....Member
2. Hon. Benard Ngeno.....Member
3. Hon. Patrick chepkwony.....Member
4. Hon. Joyce Korir.....Member
5. Hon. Jonh Molel.....Member
6. Hon. Robert Serbai.....Member

Agenda

1. Preliminaries
2. Election of chair and v/chair
3. A.O.B

Min 1/June/2015 Preliminaries

Hon. Changmorik who chaired the adhoc committee prior to election of the chair and v/chair called the meeting to order and requested Hon. Nancy.

The interim chairperson informed the committee that the adhoc committee so established is meant to deliberate and come up with a comprehensive report on the petition sought by Bishop Ambrose Kimutai on the alleged corruption in Bomet County.

Min 2/June/2015 Election of chair and v/chair

Hon Aurelia Chepkirui was elected to chair the said adhoc committee while Hon. Leonard Kirui was elected as the vice chairperson.

Min. 3/June/2015 A.O.B

The committee agreed to meet on the following day at 2:30 pm to draw a program of activities that will guide the committee in deliberating on the petition

There was no other business for discussion hence Hon. Josphine said closing prayers.

CONFIRMATION

Chairperson

Hon. Aurelia Chepkirui..........Sign..........Date

Committee clerk

Dickson Cheruiyot..........Sign..........Date



COUNTY GOVERNMENT OF BOMET

Telephone: 020203-1070

Email: info@bomet.go.ke

Office of the Executive - Finance
The County Treasury
P.O. Box 19-20400
BOMET, KENYA

When replying please quote Ref. No. and Date

Ref: CGB/TRE/C/A/Corres./21/1

September 28, 2015

The Clerk
County Assembly of Bomet
P.O. Box 590-20400
BOMET

27 SEP 2015

Dear Sir,

REF: INQUIRY ON BOMET COUNTY FUNDS DURING F/Y 2014/2015

Reference is made to the above subject in which you sought to establish whether at any given time during the F/Y 2014/2015, The National Treasury blocked funds allocated to Bomet County.

In response I wish to state as follows:

- i. from records, the only thing that could be noted from National Treasury is that there were certain months during F/Y 2014/2015 in which funds disbursement was delayed.
- ii. Records also reveal that at no given time was the funds allocated to Bomet County blocked during F/Y 2014/2015.

Thank you.

Yours faithfully,

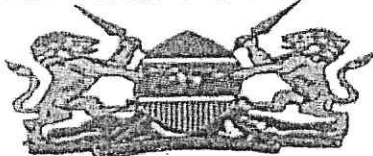
Dr. Peter Koros
Executive - Finance and Economic Planning
BOMET COUNTY GOVERNMENT

Susan

Dickson, Clerk, Committee Finance
Please take necessary action
28/9/2015

(1) Acknowledge
(2) Go forward this
PCA
ANASID
28/09/15

REPUBLIC OF KENYA



COUNTY GOVERNMENT OF BOMET

OFFICE OF THE EXECUTIVE MEMBER ROADS, PUBLIC WORKS AND TRANSPORT

P.O Box 19-20400
Bomet.

Ref BCG/RPT/16/Vol.1/6
Date: 16th July, 2015

THE CLERK
COUNTY ASSEMBLY OF BOMET
BOX 590
BOMET

Dear Mr. Kitur

RE: INVITATION TO ATTEND ADHOC COMMITTEE MEETING OVER A PETITION BY
BOMET COUNTY RESIDENT

The above matter refers;

Your letter dated 10th July 2015, seeks a number of issues pertaining the department.

I have noted the concerns raised by the said resident and respond as follows:

- i. The information on kilometers of road construction during the entire period in question requires more time to compile as opposed to the three days from the time of receipt of the invitation.
- ii. The other items numbered (ii), (iii), (iv) and (v) are executive functions of the county government.
- iii. The background information on performance of county vehicles can be accessed through audit reports.
- iv. The names of drivers that could have been involved in accidents and validity of their driving licenses is the responsibility of Human Resource and Public Service Board respectively.

In conclusion, Section 9 of the County Government Act indicates that the County Assembly shall not directly or indirectly be involved in the executive functions of the County Government.

Thank you

Yours

Hon Eddah Biegon
CEC; Roads, Public Works and Transport

① PCA
2/2/2015
② Ackn the closing the Committee 16/07/15
Please deal with the matter
forward to the committee for
necessary action
Kisumu
17/7/15

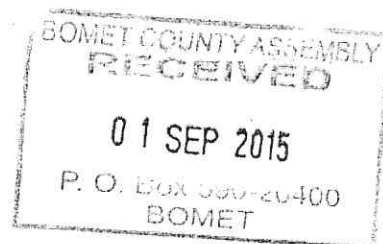
28

REPUBLIC OF KENYA



COUNTY GOVERNMENT OF BOMET

ROADS, PUBLIC WORKS AND TRANSPORT



THE CLERK OF THE COUNTY ASSEMBLY

BOMET COUNTY ASSEMBLY

1ST SEPTEMBER 2015

Dear Sir,

RE: INVITATION TO ATTEND MEETING WITH THE ADHOC COMMITTEE OVER PETITION BY RESIDENT OF BOMET COUNTY

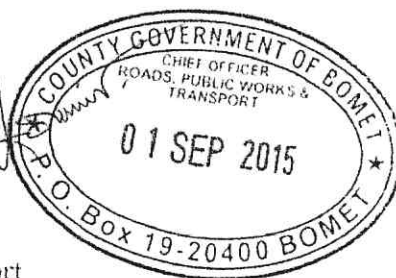
Refer to the letter Ref no.BCA/GOV.RFW/13/12/1/15 dated 25th August 2015 addressed to this office on the above subject matter

I wish to state that I cannot be able to give the report as required without the petition report cited in the letter and therefore cannot be able to attend the briefing as scheduled

Eng. Simon k korir

Chief Officer

Roads public works and transport



Copy

1. County Secretary
2. CEC Roads public works and transport

(29)

CATHOLIC DIOCESE OF KERicho
HOLY SPIRIT CATHOLIC PARISH - SFCFAIK
P.O BOX 397,
BOMET.

Date: 08 04 2015

THE CLERK
COUNTY ASSEMBLY
BOMET COUNTY
P.O BOX 590 - 20400
BOMET - KENYA



Dear Sir/Madam,

REF: ALLEGATIONS OF CORRUPTION IN BOMET.

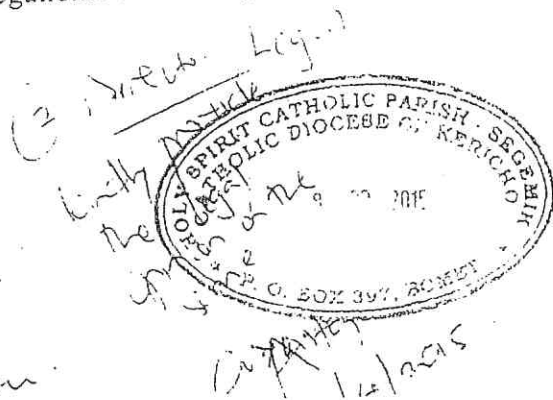
I am writing this letter to request the County Assembly of Bomet County to urgently debate on the subject referred. The subject matter in this letter is also the content of my petition which I delivered in your office on 8th April 2015.

As one of the church leaders in Bomet County, I am very concern with the issue of allegations of corruptions that have been reported in Bomet County. Due to this, the following negative consequences have been witnessed in Bomet County:

1. Increase political tension among the elected leaders of Bomet County, both in the National Assembly and County Assembly. This has created division among the residents of Bomet County.
2. Investors who were ready to come and invest in our County are now shying away due to this issue of corruption.
3. The dignity of the people of Bomet has been damage nationally and internationally.
4. Money for the development of Bomet County seems to have been blocked by the national Government. The projects that were going on very first appear to slowing down.

I therefore request the members of the County Assembly of Bomet County to help the voters of Bomet County to establish the truth of these allegations. It is the right of the people of Bomet County to know the true facts on this issue.

*To Clerk
I fully let me know
the opinion on the
leg constitutionality and
validity of this Petition
before it meets the
- extension*



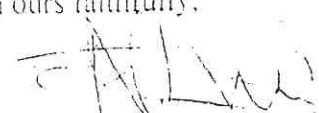
CATHOLIC DIOCESE OF KERICHO
HOLY SPIRIT CATHOLIC PARISH – SEGEMIK
P.O BOX 397,
BOMET.

I let me conclude this letter with these words of prophet Isaiah 1.18

"Come now let us set things right says the Lord Though Your sins be like scarlet, they may become as snow though they be crimson red they may become white as wool"

Thank you, I wait for your favourably reply.

Yours faithfully,


Rev. Fr. Ambrose Kimutai Arap Tonui
0700 488 931



cc :

H.E. Hon. Isack Rutto	- Governor Bomet County.
Fredrick Soi	- The Secretary Bomet County
Hon. Cecilia Ngetich	- Women Rep. Bomet County
Prof. Willfred Lesan	- Senator Bomet County
Ronald Tonui	- Mp. Bomet Central
Benard Bett	- Mp. Bomet East
Paul Bli	- Mp. Chepalungu
Sammy Koech	- Mp. Konoin
Dr. Joyce Laboso	- Mp Sotik
Kipngetich Geoffrey	- Speaker Bomet County Assembly
Bomet County Commissioner	
To all members of County Assembly Bomet County	

BOMET COUNTY ASSEMBLY
RECEIVED

08 APR 2015

GENERAL FORM OF PUBLIC PETITION
[Standing Order 198]

I, We, the undersigned,

the petition in general terms, and the petitioners are, for example, citizens of Kenya residents in this region, workers of industry, etc.

I, Re: Fr. Ambrose Kimani Arap Tonui, the parish priest of Segemik Catholic parish, a citizen of Kenya, resident of Kongosi ward in Chepalungu constituency, Bomet County.

DRAW the attention of the County Assembly to the following:

[Here, briefly state the reasons underlying the request for the intervention of the County Assembly by outlining the grievances or problems by summarizing the facts which the petitioners wish the County Assembly to consider.]

That there have reports in the media and in the EACC report tabled in the National Assembly on 11/03/2015 that corrupt dealings have taken place in the Government of Bomet County. These reports of corruption have damaged the dignity of the citizens of Bomet County and caused tensions among the residents of Bomet County. Bomet County cannot develop correctly, smartly and smoothly if the issues of corrupt dealings are made public through the County Assembly and subsequently resolved in a participatory manner by all residents of Bomet County through a public process.

THAT

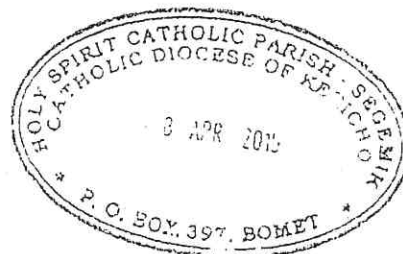
[Here confirm that efforts have been made to have the matter addressed by the relevant body, and it failed to give satisfactory response.]

The Senate has tried to solve these issues of corruption in the Government of Bomet County by summoning the CEO of Bomet County to appear before the senate committee but no satisfactory answer has been given to date.

THAT

[Here confirm that the issue in respect of which the petition is made are not pending before any court of law, or constitutional or legal body.]

The issues of corruption in the Government of Bomet County is not pending before any Court of law.



HEREFORE your humble petitioner(s) Pray that County Assembly

Her, set out the prayer by stating in summary what action the petitioners wish County Assembly to take or refrain from.

1. Debate soberly and sincerely the cancer of corruption in Bomet County
2. To table and make public CIDP of Bomet County since 2013 to date.
3. To table and make public recommendations and directives issued to the Executive arm of the Government of Bomet County on the expenditure by the County Assembly of Bomet
4. To table and make public all reports of Auditor General in respect to Bomet County for the periods starting 4th March 2013 to date.
5. To table and make public the EACC reports on the list of shame of all corrupt state officers which was tabled on National Assembly on 31.3.2015.
6. To table and make public the reports of controller of budgets that have been given to Bomet County to implement in its budgeting process.
- The date of tabling of the above requested documents should be made public and effectively communicated to residents of Bomet County and petitioner to facilitate their attendance.

Name petitioner	Full Address	National ID. or Passport No.
impression		
Rev. Fr. Ambrose	Segemik Catholic	ID. NO. 3835955
Kimutai Tonui	Parish	
	P. O. Box 397	
	Bomet	



(Here, repeat the summary in first page)

Name of petitioner
Rev. Fr. Ambrose Kimutai Arap Tonui

Signature/Thumb impression

(Subsequent Pages)

*This form may contain such variations as the circumstances of each case may require.

