

REPUBLIC OF KENYA
COUNTY ASSEMBLY OF MACHAKOS

OFFICIAL REPORT

Tuesday, 4th April, 2023

The House met at 2.56 p.m.

[The Speaker (Hon. (Mrs.) Anne Kiusya) in the Chair]

PRAYERS

Hon. Mbili Ndawa (Matuu, MCCP): Hon. Speaker, while you were coming here this House was informed that we are to receive Mr. Speaker, and we are shocked to see Madam Speaker. Hon. Speaker, I want to inform you that this is the second time this anomaly is repeated and you know our proceedings are live. Everybody is watching and we may confuse the electorate of Machakos and residents who are watching us. We have students in the gallery and they might be confused whether in this Assembly we call ladies Mister. So I was just trying to inform you so you can correct that as we kick off we do so from the right note. Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Minority Leader and it is well noted; I am sure the Serjeant-at-Arms have heard. If it was a mistake I request that you correct it next time. Do not call a Madam a Mister. There is a reason why they were separated. Thank you, so much.

COMMUNICATION FROM THE CHAIR
VISITING DELGATION FROM KALULINI
PRIMARY SCHOOL IN KATANGI WARD

Hon. Speaker: Thank you, Hon. Members. I have a communication to make. Good afternoon Hon. Members, I have the following communication to make on visitors in the public gallery. We have visitors in the public gallery. Hon. Members I wish to acknowledge the presence of teachers and pupils of Kaloleni Primary School in Katangi ward who are here on a learning exercise. Hon. Felix Ngui who is the MCA for Katangi ward will get an opportunity to welcome them when he will be giving his notice of motion. Thank you, Hon. Members.

NOTICES OF MOTIONS
CREATION OF BOREHOLE MANAGEMENT COMMITTEES UNDER
REGULATIONS OF THE MACHAKOS COUNTY WATER AND SANITATION ACT, 2014

Hon. Speaker: May I welcome Hon. Felix Ngui to proceed and give his notice of motion. You could talk about our visitors Hon. Ngui.

Hon. Felix Ngui (Katangi, WDM-K): Thank you, Madam Speaker. I wish to take this opportunity to acknowledge the pupils, teachers and parent's representative from Kaloleni Primary School which is within my ward in Katangi. Madam Speaker, Kaloleni Primary School is where I schooled and the little English that I speak here in the Assembly I learned it from there and I am very proud of them and I would wish to appreciate them for seeing it fit to come and learn about the assembly procedures with the new curriculum of CBC. I hope this is going to be very beneficial to them in their learning. Thank you, so much for coming *na karibuni sana*. Madam Speaker---

Hon. Speaker: Before you proceed, Hon. Felix Ngui, I just want to take this opportunity to welcome very warmly the teachers and the pupils from Kaloleni Primary school to this House. This is a House of order and procedure. It is called Machakos County Assembly and this is the Chamber. We make laws here that is legislation, we represent the citizens and Kenyans in Machakos County from different wards and we also oversight over the executive. So that is what we do here. Today we are debating, we may make laws here, we may move motions and do a lot of things here but that is our business. So I ask you to really enjoy this afternoon session and learn one or two things and feel really welcome. Later we may have a photo session with you. Thank you very much.

Hon. Felix Ngui (Katangi, WDM-K):

Hon. Speaker THAT aware that Article 174(c) of the Constitution of Kenya, 2010 provides that one of the objects of devolution is to give powers of self-governance to the people and enhance the participation of the people of the people in the exercise of the powers of the state and in making decisions affecting them; Aware that the Fourth Schedule of the Constitution of Kenya mandates Counties with water and sanitation services;

Further aware that the County Government of Machakos has been able to drill boreholes and this has positively impacted the residents of the County;

Acknowledging that the management of these boreholes has not been well done and most are cases where a borehole is rendered non- operational because of a simple mechanical problem;

Cognizant of the fact that some boreholes are vandalized because there is no proper management structure to oversee the project and this is a clear waste of public resource and a compromise to service delivery;

Aware that the this Assembly enacted the Machakos County Water and Sanitation Act, 2014 which provides for a framework on provision of water and sanitation services, creation of Water Boards and water service provides, water works, water management systems and water conservation;

Hon. Speaker, I wish to give notice of motion THAT this House resolves that the County Executive Committee Member for the Department of Water, Irrigation, Environment and Climate Change formulates and forwards for consideration by the County Assembly Regulations to ope-rationalize the Machakos County Water and Sanitation Act, 2014 with a view of creating Borehole Management Committees to manage the existing public boreholes in the County.

Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Ngui, for that notice. May I also invite Hon. Catherine Kyee to give a notice of motion?

TREE PLANTING IN ROAD NETWORK DESIGNS AND
COMPULSORY REPLACEMENT OF TREES DURING ROAD CONSTRUCTION

Hon. Catherine Kyee (Nominated, WDM-K): Thank you, Madam Speaker.

Hon. Speaker, THAT aware that Article 42 of the Constitution accords every person the right to a clean and healthy environment and that Article 69(1)(d) also mandates the State to encourage public participation in the management, protection and conservation of the environment;

Further aware that, deforestation is one of the main contributors to climate change;

Noting that, Machakos County has not been spared by the effects of global warming and climate change as a result of deforestation amongst other aspects;

Deeply concerned that, there has been persistent destruction of trees and vegetation along the road reserves and roadsides during road construction leading to adverse effects on the ecosystem;

Cognizant that, studies have shown that the benefits accumulated from roadside tree planting include better soil formation due to shedding of dead leaves, increased water quality by reducing sediment flow, reduced erosion, road beautification, flood control as the trees slow and absorb water runoff, wind-breaking, providing important pollinator, habitats, improving peoples' health, and protecting crops;

Hon. Speaker, I wish to give notice of Motion THAT this House resolves that the County Government of Machakos includes a component of tree planting in all road network designs and also makes it compulsory for road contractors to replace any tree harvested during road construction upon completion of the project.

Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Member.

STATEMENT SOUGHT
SUPPORT TO COFFEE GROWING

Hon. Speaker: May I call upon Hon. Dickson Maundu to proceed and make that statement. Mheshimiwa Maundu.

Hon. Dickson Maundu (Kangundo Central, MCCP): Thank you, Madam Speaker.

Hon. Dickson Maundu (Kangundo Central, MCCP): Thank you, Madam Speaker. I wish to give a Statement on the following Statement on status of implementation of the Machakos County Cooperative Enterprise Development Fund Act of 2021.

Hon Speaker, aware that Machakos County is a coffee-growing area with four main sub-counties majoring in coffee farming;

Aware that coffee is one of the major cash crops in Kenya and key source of income and employment for many families both directly and indirectly;

Noting that, the global appeal and increasing demand for quality coffee from Kenya is an assurance of increased demand; Aware that coffee-farming in the County is to a great extent undertaken by small-scale farmers through the co-operative movement, commonly referred to as Farmers Co-operative Societies that farmers have been able to sell their coffee through them.

Hon. Speaker, pursuant to Standing Order 41(2)(c), I wish to seek a statement from the Chairperson Committee on Agriculture on the following concerns:

- (i) Whether the Department has provided adequate extension officers to conduct soil testing in the coffee-growing areas within the county for proper advice on soils suitability within the County.
- (ii) What the Department has done to improve market access and enhance marketing efficiency as well as promote value addition to coffee like packaging and branding coffee as a Machakos product and have a Certification to meet global standards.
- (iii) What is the status of the Regulations for the operationalization of the Machakos County Cooperatives Enterprise Development Fund Act, 2021.

Hon. Speaker: Thank you, Hon. Member. Perhaps I could seek whether we want to ventilate on this matter Members. Proceed, Minority Leader

Hon. Mbili Ndawa (Matuu, MCCC): Thank you, Madam Speaker. Before I give you my views on the business before the House, I want to take this opportunity to welcome our visitors here. Hon. Speaker, Kalulini Primary school in Katangi is also in Yatta Sub-county and I am a member of Yatta so I want to take this opportunity to welcome them to this Lancaster House and tell them one time, learners you time we will be seated where we are sitting today.

(Applause)

So what I will request is that you be serious with what we are being taught by our most able teachers. I am very sure we can have legislators there. So welcome and try as much as possible to develop interest was on this issue of legislation.

Hon. Speaker, on coming back to the business before the House. I want to start by thanking the Hon. Member for Kangundo Central Hon. Dickson Maundu for coming up with this noble Statement. Hon. Speaker, Machakos has been known for coffee-growing but of late, Hon. Speaker, most of late the farmers have lost interest in these coffee farming and this is high time the Assembly should come in to rescue the few farmers who are left doing the business and maybe try as much as possible to recall those who have already exited that activity or family or coffee growing.

Hon. Speaker, from the statement the Member for Kangundo Central is seeking to get information from Chairperson of Agriculture Committee who happens to be a member of this County Assembly. Hon. Speaker, I am of the view that this high time, we should amend our Standing Orders to allow the CECM to appear before this House and give us the answers that we are requesting from a Hon. Member who does not have information or does not have information.

(Applause)

So we need to amend the Standing Orders. As you are aware, and the County Assembly is a replica of the National Assembly and the National Assembly has gone that far. They have already amended the Standing Orders they have requested they have allowed them to come. So in our case, I am also proposing that the committee the concerned committee should come up with that recommendation.

Then the issue of coffee the member is talking about selling. 10 years ago, I was in business I was a director in Kyanzave Farmers Company Limited, which is one of the major companies that grow coffee in this county. I served from 2004 to 2011 and by that time when our milling are buying one kg of coffee at Ksh. 20, we were selling our coffee directly to international market each kg at \$3 so one kg was going at Ksh. 360. Hon. Speaker, we have middle men here who are trying to talk to consume the sweat of our farmers (??) and this is the high time we should take the forefront or we should lead to ensure that we protect our farmers.

So Hon. Speaker, I support this statement and I would wish I would wish when the CECM is coming or he is bringing the report, we are supposed also to be notified to know exactly before the business in the Order Paper. Before we left the last Assembly, we passed this Regulations and there were funds so we want to know whether the funds are still there, or they have been exhausted and if they were exhausted, we want to know how the funds were spent. Thank you, Hon. Speaker.

(Applause)

Hon. Speaker: Thank you very much, Hon. Member. Hon. Kavyu, proceed.

Hon. Francis Kavyu (Kinanie, MCCC): Thank you, Madam Speaker. Welcome to the pupils of Kalulini Primary School together with their teachers. I am standing to support the Statement but I will also request if the same can be expanded not only to focus on coffee farmers because in areas like Machakos Central, where the Assembly is located, we have many farmers who are doing avocado farming. For years, our grandmothers have been exploited because they sell the product at Ksh. 5 or 10 but when the same is taken to Nairobi, the same avocado goes for almost Ksh. 20.

So, as an Assembly, there is need for us to come with a regulation so that we can protect our farmers and also to ensure that they are getting value for engaging in farming. As the committee looks at it, I would recommend that even the Executive side looks at the possibility of us having a marketing agency or a board that will be tasked with ensuring that they secure market for farmers either locally or abroad to ensure that our people are not exploited by middlemen and brokers who end up buying the product at a throwaway price.

As a Member, I am a victim of the same; sometimes back I used to do agriculture and bearing the high cost of fine buying farm implements, when the product is ready for market, you could try to sell the product but to end up selling at a very low cost because the only people who pose as the agencies are just groups that have organized themselves and the farmers suffer a lot.

So, as a Hon. House, I would request that we look at that and I think this is in line with the Governor's manifesto for ensuring that Machakos people have money in their pockets and also food. So, implementation of this fund and this Act of this fund and also better regulation will ensure that our people are motivated to engage in their agriculture business and also at the

same time they are able to live a good life as a result of having a direct connection with the market or with the buyers of our products. I support the statement Madam Speaker. Thank you.

Hon. Speaker: Thank you. Hon. Member. May I then go ahead and have this Statement committed to the committee on Agriculture and take also into consideration the concerns raised by members that they expand the same to include other products like avocado to also observe the issue of having a board to manage that produce and also include the issue of farm inputs. Of course, there is the issue of the manifesto, money in the pockets and food on the table by our Governor so that we can align with it.

So, this statement is committed to the Committee on Agriculture to report on or before 2nd May, 2023. Thank you, Members.

MOTION

CREATION OF BOREHOLE MANAGEMENT COMMITTEES UNDER REGULATIONS OF THE MACHAKOS COUNTY WATER AND SANITATION ACT, 2014

Hon. Speaker: May I call upon Hon. Felix Ngui, Katangi Ward to proceed and move the motion.

Hon. Felix Ngui (Katangi, WDM-K): Thank you, Hon. Speaker.

Hon. Speaker that aware that Article 174(c) of the Constitution of Kenya, 2010 provides that one of the objects of devolution is to give powers of self-governance to the people and enhance

the participation of the people of the people in the exercise of the powers of the state and in making decisions affecting them;

Aware that the Fourth Schedule of the Constitution of Kenya mandates Counties with water and sanitation services;

Further aware that the County Government of Machakos has been able to drill boreholes and this has positively impacted the residents of the County;

Acknowledging that the management of these boreholes has not been well done and most are cases where a borehole is rendered non- operational because of a simple mechanical problem;

Cognizant of the fact that some boreholes are vandalized because there is no proper management structure to oversee the project and this is a clear waste of public resource and a compromise to service delivery;

Aware that this Assembly enacted the Machakos County Water and Sanitation Act, 2014 which provides for a framework on provision of water and sanitation services, creation of Water Boards and water service provides, water works, water management systems and water conservation;

Hon. Speaker, I wish to move the motion that this House resolves that the County Executive Committee Member for the Department of Water, Irrigation, Environment and Climate Change formulates and forwards for consideration by the County Assembly, regulations to operationalize the Machakos County Water and Sanitation Act, 2014 with a view of creating borehole management Committees to manage the existing public boreholes in the County.

Thank you, Madam Speaker and I wish to call Hon. Douglas of Masii Ward to second my Motion.

Hon. Speaker: Yes.

Hon. Douglas Musyoka (Masii, MCCC): Thank you Madam Speaker. I second the motion.

Hon. Speaker: Thank you, Hon. Douglas.

(Question proposed)

I now invite Members to debate this Motion. I call Hon. Ndeti to proceed and start us off.

Hon. Helen Ndeti (Nominated, WDM-K): Thank you, Madam Speaker. I support this motion; it is very pertinent and important that as a county we come up with a regulation of how we are going to run future boreholes sunk in our county.

Madam Speaker, in the last assembly I was involved in rehabilitating a borehole that had been sunk by CDF not even the county and because water is given to residents for free, of which I believe there is nothing for free in this world, the water pump broke and because it was being issued for free there was no money to replace the water pump and that made residents go without water for years. So, I think it is the high time that our county through the Executive comes with a regulation so that in future even if water is sold for one or two or three shillings; that money can be kept aside for rehabilitation or replacement of any parts that are worn out. I am fully in support. Thank you.

Hon. Speaker: Thank you, Hon. Ndeti. Hon. Ndambuki.

Hon. Dominic Ndambuki (Kathiani Central, WDM-K): Thank you, Hon. Speaker. I rise to support the motion that has been tabled by Hon. Felix Ngui. And in support I wish to submit that in addition to getting regulations, it is important that we peg some cost on the water that we give to our residents.

Madam Speaker, this will go a long way in ensuring that once boreholes breakdown, there are available funds to repair them in good time. I will cite an example, where I come from there is a borehole that has been dysfunctional for the last two years. Local residents are suffering but look at it; if we had some funds then the management committee would have sourced for these monies and repair the borehole in good time to enable the residents continue getting services from the borehole. With this, I support.

Hon. Speaker: Thank you, Hon. Member. Hon. Ndilo, then Hon. Hon. Douglas and Hon. Ndawa.

Hon. Annabel Ndilo (Nominated, UDA): Thank you Madam Speaker for such a chance. I support the motion for creation of borehole management committees. I want to say that water is the epitome of life and drilling borehole is one thing and management is another. There are so many boreholes across Machakos County but they are not operational simple because we do not have such a committee that can see the efficiency and effectiveness of the water. The boreholes are there yes, but due to poor management you find they are collapsing and people in Machakos

County are not able to get water from these boreholes. So, I support the formation of such a committee to oversee the efficiency of boreholes for the sake of the residents of Machakos County. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Ndilo.

Hon. Mbili Ndawa (Matuu, MCCC): Point of information Madam Speaker before you give Mheshimiwa.

Hon. Speaker: Yes.

Hon. Mbili Ndawa (Matuu, MCCC): This being a House of procedure, no Member is supposed to speak twice in one motion. When Mheshimiwa was given an opportunity to second, he spoke. So, if you give him another chance, he will be violating the standing Orders. So, I am requesting that you allow me to continue because I was in the line.

Hon. Speaker: It is well-guided. I am sorry Hon. Douglas; you spoke you lost a chance for another opportunity to speak again. Now I will have to give the opportunity to Hon. Ndawa to proceed. I am sorry though.

Hon. Mbili Ndawa (Matuu, MCCC): Thank you, Madam Speaker. It is good to follow the law. The wise men said a change needed in a grandson has to begin with the grandfather. If you say no smoking in this compound and you are the head of the family and you start smoking, those who are below you will not follow the law.

Hon. Speaker, I stand to second the motion and before supporting the motion I want to congratulate our most able Member of Katangi for coming up with this noble motion. In fact, the motion has come the right time when we are all aware that there is need to salvage the remaining boreholes and ensure that we revive the other ones which have stalled.

Hon. Speaker, the issue of water is provided for in the constitution, Article 43(1) d. It says, every Kenyan has a right to clean and safe water and part (d) of it says, 'and in adequate quantities'. So, if you consume 10 litres of water, you are entitled to that.

Hon. Speaker, as I support the motion, I also need your interpretation; when we talk of right, a resident has a right to this, does it mean he should get that product free of charge or he is supposed to buy it? Because the constitution is silent, it says he has a right and it has not talked about selling to that consumer or getting it free. My simple interpretation and I know we have English teachers here and also in the gallery; if you have a right to live, nobody sells you that life. Yes, you have a right to do ABC nobody sales that product to you. So we are at a limbo now Hon. Speaker as a House.

Hon. Speaker: Where do you buy life from? If you were to buy life because we have a right to life, where would you have bought it if it were to be charged?

Hon. Mbili Ndawa (Matuu, MCCC): Hon. Speaker I have said now we are relying on your wisdom and your guidance. When we talk of a right we need to be very clear. Hon. Speaker, both the National and the County Government have done a lot of work to ensure that the residents of Machakos and Kenya get enough water.

Hon. Speaker as Mheshimiwa is saying in his Motion, these boreholes are done and left unattended. Nobody to attend to those boreholes, the time you lounge the water the department moves away from that and the water is left for Mwananchi to take it. Nobody is left to be in charge so Mheshimiwa is trying to ensure that at least we have a caretaker; a team to ensure that the water is consumed well and does not go to waste. So Hon. Speaker I totally agree with Mheshimiwa that there is need because we cannot start creating the Committees without the regulation. He is seeking that we come up with a regulation.

So Hon. Speaker I support that we have these regulation and also as I support this regulation I will also request as you direct the next course of action we may have such motions very many in this House because now we are taking of one item, water.

We have roads, we have energy, we have other project. So I was of the opinion that we amend or we substitute the word boreholes to County Projects so that every project is taken care of.

If it is water we have another Committee for water. We have another Committee for that particular road, for that energy, and I am very sure by so doing, Hon. Speaker I am an expert of what we call linguist. I am a linguistic officer and I know how to interpret a speech whether spoken or by movement. So, Mheshimiwa Majority Leader, kindly calm down. Thank you, Hon. Speaker. So I was saying---

Hon. Speaker: I did not get that there was a discussion taking place---

Hon. Mbili Ndawa (Matuu, MCCC): I could see some communication---

Hon. Speaker: There was an illegal discussion taking place when you were making submissions.

Hon. Nicholas Nzioka (Machakos Central, WDM-K) : No I just wanted to inform the Minority Leader that if he needs to bring to the House a substantive motion to include that and not just sneak things into someone else motion.

Hon. Speaker: After all it is no his Motion. Is it not? I am putting words into your mouth.

Hon. Mbili Ndawa (Matuu, MCCC): Thank you, Madam Speaker.

Hon. Speaker: Yes Hon. Member.

Hon. Mbili Ndawa (Matuu, MCCC): We had an opportunity to propose the amendment and you know the Standing Order 52 says if you want to amend a Motion you notify the Speaker within two hours but the Order paper was just supplied immediately we came to this House.

So there was not even single one hour so the delay is not from our side it is from whoever is supposed to ensure that Members get the order papers in good time but it is a proposal. It may take place, it may not take place. It is good that we take care of every project within the County. Thank you, Hon. Speaker.

Hon. Speaker: Thank you, take it as an advice. Before Hon. Majority you speak I would like to mention something perhaps that Hon. Minority Leader has mentioned and it is about right to water. Right to water is a right like any other. Unfortunately right to life is given by God free of charge. Human beings do not give anything free of charge to the best of my knowledge. So water might not be free and if we make it hundred percent free we may land ourselves into problems. We need to manage those boreholes, they come with a cost of maintenance and all that so at the end of the day even when we are finding a Committee to man this.

We need to know that it comes with some costs implication. So Members my urge is that we do not make water hundred percent free as it were because of the cost implication attached to its management. Thank you, Members. Hon. Majority Leader; the real one. Proceed. I am even surprised that even him---

(Laughter)

Hon. Nicholas Nzioka (Machakos Central, WDM-K): Thank you, Madam Speaker. Mheshimiwa Minority Leader is my friend and from time to time we confuse each other's title. Thank you, Madam Speaker for the opportunity. First of all I want also to welcome the pupils of Kalulini Primary School and the teachers and the parents representative for finding time to come and see what we do here as their representative.

Also I want to inform you Madam Speaker I was a student not far away from them. I was a student at Ikombe Secondary School so many years ago and I also want to inspire them. I am telling them that despite what people perceive even in those harsh weather conditions you can make it. I am not only seeing Members of County Assembly (MCAs).

I think you can do better that Mheshimiwa Ngui and become Members of Parliament, Senators, President so that the perception that in those areas and also Madam Speaker in those areas we do not have great leaders. So *karibuni* and I hope you are going to take home something in as far as learning what we do is concerned.

Coming back to this Madam Speaker if I can just go back to 10 years since devolution I do not think we have had a department that has consumed County resources as the water department. We like classifying ourselves as ASAL or, arid and semi-arid area. Even in the previous government they emphasized a lot in providing water for the people. Yes I think to an extend they provided but the management aspect of how to get the last drop to the people was left behind.

There is infrastructure; statistically I think we are talking about more than fourteen hundred boreholes. One thousand four hundred boreholes that have been sank over the last ten years. The question is if you go to the ground, how many boreholes are working now? Maybe it could be less than thirty percent. The rest are lying idle because of very small costs. A case in point is in Machakos Central Ward just around garden hotel area we have a borehole that is lying idle. It has water but the pump because of Ksh. 100,000. Around cereals board it broke down a month ago it was providing a lot of water to a lot of people broken down because of Ksh.100,000.

So I think we need to make sure that this amount of money that has been sank into provision of water we see value for it. Just the other day, when we were doing the ceilings for the various departments this House raised an increased ceiling for the water department. If you look at how much we have sank, and how much we are intending to put in the water department, are we setting up ourselves for losing value for money? So I think the management Committees

that Mheshimiwa value for money and most important we get the product and the product is water. So I stand to support this motion. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Majority Leader. Hon. Mary, Hon. Kaloi then Hon. Kavyu; this is the second time you want to speak? It was the first one? Okay then you will be the third.

Hon. Mary Kituku (UDA, Nominated): Thank you, Madam Speaker, for catching my eye. I rise to support this Motion on creation of the Management Committees of the boreholes. With every great blessing comes a great responsibility.

We have these boreholes that have been sunk before and more to come. My concern rises on their security. We have bought so much equipment time and again due to the fact that there is no security. Like the pumps and the solar equipment which I think we should not be doing that over and over again.

So when I support that we have these Committees I know what I am talking about. In Muthini estate, at the school for the blind there was a borehole that was sunk by His Excellency Alfred Mutua. It has not being in operation because the pump was stolen, the solar system was stolen and we have water but we are not able to get it for our people. So I think it is in order to quick fast creating these management committees. Thank you.

Hon. Speaker: Thank you, Hon. Mary.

(Applause)

Hon. Kaloi.

Hon. Jeremiah Kaloi (Athi River, WDM-K): Thank you, Madam Speaker. I wish to second the Motion but allow me to say one, two or three things. One, as the saying goes that water is life, we have experienced during this drought a lot of issues with water. We know that the County has done so many boreholes but the issue of management arises. My suggestion is as we propose the management committees, we also think of ensuring that training to these committees is catered for because in other areas we have the committees, we have some committees who are handling these boreholes but what they lack is training, the knowhow and the expertise on running the boreholes. So I stand to support the motion. Thank you so much.

Hon. Speaker: Very important points there; I agree entirely. Mheshimiwa Kavyu.

Hon. Francis Kavyu (Kinanie, MCCC): Thank you, Madam Speaker. I arise to support the motion because water is a critical life basic need for human beings and also for animals and it is very evident if you go across the county in all the 40 wards, what Hon. Members are talking about is evident, casing point being what Hon. Majority Leader has highlighted and is the same case in Kinanie. You can count almost ten boreholes that are nonfunctional because of small breakdown that would otherwise be catered if there was proper management of those boreholes and also if a small fee was being charged for every jerrican of water that is being consumed then whenever there is a need of any small repairs that do not require a lot of expertise and huge resources, those funds can be utilized to cater for that.

As we also look at the motion before us, I would also like to recommend because we not only rely on water from the boreholes. There are other sources of water that are very critical like dams, they are also springs that need to be taken care of so instead of having a management committee for every single source of water, because tomorrow after we have approved this may be another Hon. Member will come with a proposal that we have a committee created to take care of our dams and a casing point is Kinanie ward, There is a dam that was used to supply an area called Muvwike, the dam goes by the name Kiluli. Because of adverse effects of drought, because people are doing sand harvesting in public dams, Mathatani is the same case, if you go to Wathia in Kinanie and because there is no single person who has a responsibility of controlling that, you find with time, today Kiluli dam is past tense because of effect of sand harvesting, people are doing sand harvesting, others are doing their own things there, so whenever it rains, all that soil that has been accumulated over time was washed down the dam and today when you go to Kiluli dam is a plain field, it can no longer hold water.

So we want a committee in every ward that will take care of all those water resources that it is a borehole they ensure it is well taken care of, if there is a spring that provides water to people, that committee will be responsible so that we ensure that all our water sources across the county, because there are areas you find there are no many boreholes and also that committee should also be mandated on ensuring, nowadays people are doing boreholes like kiosks.

You find a distance of less than fifty meters, you find for instance if it is Katangi has a borehole and in ten meters you find a neighbor of his also has a borehole that was approved by the department of water so sometimes we ask ourselves, after sometimes, is the water table going to support the many boreholes that we have, so those committees will be very critical because it will dictate and may be in some instances give advisory if people are closer to each other may be they can come with a framework how that water will be shared and invest in network of ensuring the water gets to people instead of having ten or twenty boreholes within a very small radius square.

This is because with time all boreholes will dry because the water table will be exhausted. So it is a very critical committee that Hon. Member proposes but I support with a recommendation that we can expand to cover more and ensure that we also get value because at some point you might find this committee will require some small motivation. So we also need to ensure that that they have enough work so that at the end of the day when they are being remunerated for the work they are doing, we also get value as a County. Thank you Madam Speaker.

Hon. Speaker: Thank you Hon. Kavyu, those are very important points to be included there, I now wish to call upon Hon. Ngui to reply.

Hon. Felix Ngui (Katangi, WDM-K): Thank you Madam Speaker, I want to thank Members, for supporting my motion and I wish to say that water being one of the basic commodities that we use in our lives daily and Machakos County has done so well in sinking boreholes within the County. Madam Speaker, you will realize that in every ward for example in Katangi ward if the government of Machakos have done like twenty boreholes, you will find that there are only three boreholes which are functional to date, that is because of lack of good management or proper management of the boreholes.

Madam Speaker you will also realize that once a borehole is done in an area, there is never distribution to other areas, that water is used by only the people around the borehole. So

immediately we get these committees on board, we will be having an opportunity whereby the committee can sit down and design how the water is going to be distributed in other areas. Madam Speaker, one scenario in my ward, there is a borehole that was done in 2014 within my ward in an area called Ngumbulu and that borehole got stalled in the year 2018 because of a spare part that needed only forty-five thousand. That borehole has stalled up to last month when personally I went down and procured myself the part for the water to start functioning and now the people at Ngumbulu are taking that water out of my money from my own pocket.

So in a situation whereby we have a committee, a committee that is in place and may this regulation that the CECM is going to come out with, they will include a small fee that our people will be charged even if it is one shilling or two shillings for a jerrican of water so that that money can be used to repair the small things that get spoilt within the borehole. So Madam Speaker, I wish to thank all the Members for supporting my motion and I urge the CEC Member, in charge of water to move with speed and come up with regulations so that we can pass them in this House and become operational in managing our water resources. Thank you Madam Speaker

Hon. Speaker: Before you leave, I have this few things to highlight on that, it has been suggested that instead of handling boreholes only, can we bring on board also springs, dams, rivers to be managed by the same committee? So I think those are some of the things when this motion is approved by the Members they will be required to be included. Thank you very much.

(Question put and agreed to)

ADJOURNMENT

Hon. Speaker: The House is now adjourned to Wednesday, 5th April, 2023 at 10.00 a.m. in the morning.

The House rose at 3.55 p.m.