

COUNTY GOVERNMENT OF BUNGOMA



**COUNTY ASSEMBLY OF BUNGOMA  
OFFICE OF THE CLERK**

-----  
THIRD SESSION  
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**COMMITTEE ON APPOINTMENTS**  
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**FIRST REPORT ON THE VETTING OF  
NOMINEES FOR APPOINTMENT TO THE  
OFFICES OF COUNTY EXECUTIVE COMMITTEE  
MEMBERS' IN BUNGOMA COUNTY**

Clerks Chambers  
County Assembly Buildings  
P.O BOX 1886 - 50200  
BUNGOMA, KENYA

NOVEMBER, 2022

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## **FOREWORD**

Pursuant to Article 179(2) (b) of the Constitution, Section 30 (2) (d) of the County Governments' Act, 2012 and Section 4 of the Public Appointments (County Assemblies Approval) Act No. 33 of 2017, His Excellency the Governor nominated:

1. Dr. **David Wamamili Wanyonyi (PhD)**, for appointment as County Executive Committee Member for Education and Vocational Training;
2. Mr. **Herbert Wanjala Kibunguchi**, for appointment as County Executive Committee Member for Environment, Water, Tourism and Natural Resources;
3. Ms. **Carolyn Khalayi Makali**, for appointment as County Executive Committee Member for Trade, Energy & Industrialization;
4. Mr. **Bonventure Chengak Chemaket** for appointment as County Executive Member for Roads, Transport, Infrastructure and Public Works;
5. Dr. **Andrew Wekesa Wamalwa** for appointment as County Executive Committee Member for Health and Sanitation;
6. Ms. **Nancy Charity Kibaba** for appointment as County Executive Committee Member for Gender, Culture, Youth and Sports;
7. Ms. **Monicah Salano Fedha** for appointment as County Executive Committee Member for Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development;
8. Mr. **Wekesa Douglas Sasita**, for appointment as County Executive Committee Member for Lands, Urban/Physical Planning, Housing and Municipalities; and
9. Mr. **Benedict Esiromo Emacar**, for appointment as County Executive Committee Member for Public Service

Vide letter Ref. No. **CG/BGM/CS/GEN/VOL.VI (14)** dated 12<sup>th</sup> October, 2022; H.E the Governor through the Office of County Secretary conveyed to the Speaker of the County Assembly a message regarding the nomination of the nine (9) persons for approval to the offices of County Executive Committee Members'.

On Tuesday, 25<sup>th</sup> October, 2022, the Honourable Speaker of the County Assembly read the Message from His Excellency the Governor to the House; pursuant to Standing Order 45 (1). The names were committed to the Committee on Appointments for vetting and reporting to the House within twenty-one (21) sitting days; pursuant to section 4 of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 208(4).

The Clerk of the County Assembly in complying with Section 7 (10) of the Public Appointments (County Assemblies Approval) Act, 2017, placed an

advertisement in the print media on Friday, 28<sup>th</sup> October, 2022; inviting the public to submit memoranda by way of written statements on oath (affidavits) on the suitability or otherwise of each of the nominees as stipulated in the Public Appointments (County Assemblies Approval) Act, 2017.

The advertisement specified that the submissions were to be received by 9.00 a.m. on Thursday, 3<sup>rd</sup> November, 2022. By close of the submission deadline, the Committee had not received any memoranda touching on the suitability of the nominees.

Further, in fulfilment of the provisions of Article 196 (1) of the Constitution, Section 7 (5) of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 56(3), the Clerk of the County Assembly on Friday, 28<sup>th</sup> October, 2022, notified the public through an advertisement in the print media that the Committee on Appointments would conduct the approval hearings on Friday, 4<sup>th</sup> November, 2022 and Monday 7<sup>th</sup> November, 2022.

The nominees appeared before the Committee on Friday, 4<sup>th</sup> November, 2022 and Monday 7<sup>th</sup> November, 2022 for approval hearings in accordance with the provisions of the Constitution, the Public Appointments (County Assemblies Approval) Act, 2017 and the County Assembly Standing Orders.

May I take this occasion to acknowledge all the Members of the Committee for their input and valuable contributions and time during the approval hearings; and deliberations during the writing of this report. The Committee also takes this opportunity to thank the Offices of the Speaker and of the Clerk of the County Assembly for the technical support accorded to it during the exercise.

On behalf of the Committee on Appointments and pursuant to section 9(1) of the Public Appointments (County Assemblies Approval) Act, 2017 and the provisions of Standing Order 202 (7), it is now my duty and privilege to present to the House, the First Report of the Committee on Appointments on the approval hearings of the nominees for appointment to the positions of County Executive Committee Members.



Hon. Emmanuel Mukhebi Situma,  
Speaker of the County Assembly / Chairperson, Committee on Appointments

## 1.0 PREFACE

### 1.1 Establishment and Mandate of the Committee

Section 14 (3) (a) of the County Governments' Act, 2012 provides that when the County Assembly considers any appointment for which its approval is required under the Constitution or an Act of Parliament, the appointment shall be considered by a Committee of the relevant House.

The Committee on Appointments is established under Standing Order 208(1). Standing Order 208(4) provides that the Committee on appointments shall consider, for approval by the House, appointments under Article 179(2) (b) of the Constitution.

### 1.2 Committee Membership

1. Hon. Emmanuel Situma	-	Chairperson
2. Hon. Stephen Wamalwa	-	Member
3. Hon. Joseph Nyongesa	-	Member
4. Hon. Anthony Lusenaka	-	Member
5. Hon. Joan Kirong	-	Member
6. Hon. Everlyne Mutiembu	-	Member
7. Hon. Grace Sundukwa	-	Member
8. Hon. James Mukhongo	-	Member
9. Hon. Francis Chemion	-	Member
10. Hon. George Makari	-	Member
11. Hon. Vitalis Wangila	-	Member

## 2.0 BACKGROUND

### 2.1 Notification of Nominations

Pursuant to Articles 179(2) of the Constitution as read with Sections 4 and 6 of the Public Appointments (County Assemblies Approval) Act, 2017, His Excellency the Governor, through the County Secretary and Head of Public Service forwarded to the Clerk of the County Assembly a letter dated 12<sup>th</sup> October, 2022, referenced **CG/BGM/CS/GEN/VOL.VI (14** (Annexure 1); forwarding the names of the nine (9) persons nominated for appointment as County Executive Committee Members.

The notification contained the curriculum vitae and testimonials of the nine (9) nominees.

## **2.2 Notification to the House and Committal to the Committee on Appointments**

Pursuant to the provisions of Standing Order 45(1), the Speaker, vide a communication dated Tuesday, 25<sup>th</sup> October, 2022; informed the House of the Governor's message on the nomination of County Executive Committee Members, for approval by the County Assembly.

Pursuant to Section 7(1) of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 56 (1), the names and curriculum vitae of the nominees were committed to the Committee on Appointments for vetting and reporting to the House on or before Thursday, 8<sup>th</sup> December, 2022.

## **2.3 Notification to the Public**

Article 196 of the Constitution provides that the County Assembly shall facilitate public participation and involvement in the legislative business and other business of County Assembly and its Committees.

Section 7 (5) of the Act further provides that the Clerk shall notify the public of the time and place for holding approval hearings at least seven days prior to the hearings.

Further, Section 7(10) of the Public Appointments (County Assemblies Approval) Act, 2017 provides that;

*“any person may, prior to the approval hearings and by written statement on oath, provide the Clerk with evidence contesting the suitability of a candidate to hold the office to which the candidate has been nominated.”*

Pursuant to Article 196 of the Constitution as read with section 7 (4), and (10) of Public Appointments (County Assemblies Approval) Act, 2017; the Clerk of the County Assembly placed an advertisement in the print media on Friday, 28<sup>th</sup> October, 2022 (annexure 2). The advert contained notification inviting the public to submit memoranda in conformity with section 7(10) of the Public Appointments (County Assemblies Approval) Act, 2017 by Thursday, 3<sup>rd</sup> November, 2022 at 9.00 a.m.

On Friday, 28<sup>th</sup> October, 2022 and pursuant to Article 196 of the Constitution, Section 7 (5) of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 56(3); the Clerk of the County Assembly through the print media notified the general public that the approval hearings for the nominees would be conducted on Friday, 4<sup>th</sup> November, 2022 and Monday 7<sup>th</sup> November, 2022 (Annexure 3).

## 2.4 Notification to the Nominees

The Clerk of the County Assembly further invited the nominees through print media to attend their approval hearings in accordance with Section 7 (4) of the Public Appointments (County Assemblies Approval) Act, 2017 (Annexure 4).

## 2.5 Clearance and Compliance Requirements.

On the notice of appearance for approval hearings, the Clerk of the County Assembly notified the nominees to provide Clearance and Compliance requirements from the Ethics and Anti-Corruption Commission (EACC), Kenya Revenue Authority (KRA), Directorate of Criminal Investigations (DCI), the Higher Education Loans Board (HELB) and the Credit Reference Bureau (CRB) (Annexure 5)

In complying with the above requirement, the nominees submitted to the Committee certified clearance copies issued on diverse dates as follows;

NOMINEE	KRA	EACC	HELB	DCI	CRB
DAVID WAMAMILI	3/2/2022	31/10/2022	26/10/2022	Receipt issued on 27/10/2022	As at 3/2/2022
HERBERT W KIBUNGUCHY	31/10/2022	26/10/2022	24/10/2022	Receipt issued on 24/10/2022	24/10/2022
CAROLYNE K. MAKALI	12/10/2022	17/10/2022	12/10/2022	2/11/2022	23/10/2022
BONVENTURE C. CHEMAKET	12/9/2022	17/10/2022	17/10/2022	14/10/2022	11/10/2022
ANDREW W. WAMALWA	1/9/2022	31/8/2022	22/7/2015	15/9/2022	31/8/2022
NANCY C. KIBABA	10/3/2022	14/10/2022	5/3/2022	29/3/2022	5/3/2022
MONICA S. FEDHA	28/10/2022	31/10/2022	22/5/2006	27/10/2022	26/10/2022
DOUGLAS W. SASITA	2/3/2022	12/10/2022	16/1/2015	2/11/2022	31/10/2022
BENEDICT E. EMACAR	27/10/2022	24/9/2022	1/12/2014	14/10/2022	27/9/2022

## 2.6 Issues for Consideration during the Approval Hearings

Section 7(8) and (9) of the Public Appointments (County Assemblies Approval) Act, 2017 provides that:



*7(8) an approval hearing shall focus on a candidate's academic credentials, professional training and experience, person integrity and background.*

*(9) the criteria specified in the schedule shall be used by a Committee during an approval hearing for the purposes of vetting a candidate.*

Additionally, Section 8 of the Act provides that the issues for consideration by the relevant House in relation to any nomination shall be:

*8. The procedure used to arrive at the nominee*

*(a) Any Constitutional or statutory requirements relating to the office in question, and*

*(b) The suitability of the nominee for the appointment proposed having regard to whether the nominees' abilities, experience and qualifications meet the needs of the body to which nomination is being made.*

While conducting the approval hearings, the Committee was guided by the provisions of Section 7 (8) and (9) and Section 8 of the Public Appointments (County Assemblies Approval) Act, 2017.

***(a) Procedure for Nomination***

Articles 179(2) of the Constitution of Kenya, 2010, Section 30 (2) (d) of the County Governments' Act, 2012 confers upon the Governor the power to appoint County Executive Committee Members for the approval of the County Assembly

Sections 4 and 6 (1) of the Public Appointments (County Assemblies Approval) Act, 2017 further requires the appointing authority, upon nominating a person for appointment, to notify the relevant County Assembly.

In this regard, pursuant to Article 179(2) of the Constitution and section 4 and 6(1) of the Public Appointments (County Assemblies Approval) Act, 2017, the Governor notified the County Assembly of the nomination of nine (9) persons for appointment to the offices of County Executive Committee Members.

***(b) Constitutional and Statutory Requirements***

The Constitution and the County Governments Act, 2012 Section 35 (2) gives guidelines on how to appoint persons to public office. They include:-

**(i) Two-Third Gender Rule**

Article 27(8) of the Constitution and Section 35 (2) of the County Governments' Act, 2012 provides that the County Assembly shall take measures to implement the Principle that not more than two-thirds of the members of elective or appointive bodies shall be of the same gender.

**(ii) Representation of Regional and Ethnic Diversity**

Section 35 (2) (b), (c) of the County Governments Act, 2012 provides that the composition of the County Executive shall reflect the representation of the minorities, marginalized groups and communities; community and cultural diversity within the County.

**(iii) Leadership Integrity**

The Committee in determining the suitability of the nominees was also guided by the provisions on leadership and integrity as outlined under Chapter Six of the Constitution. In particular, Article 73 (2) of the Constitution provides that the guiding principles of leadership and integrity include:-

73 (2)

- (a) Selection on the basis of personal integrity, competence and suitability, or election in free and fair elections;*
- (b) Objectivity and impartiality in decision making, and in ensuring that decisions are not influenced by nepotism, favouritism, other improper motives or corrupt practices;*
- (c) Selfless service based solely on the public interest, demonstrated by
  - (i) Honesty in the execution of public duties; and*
  - (ii) The declaration of any person interest that may conflict with public duties**
- d) Accountability to the public for decisions and actions and*
- e) Discipline and commitment in service to the people.*

Article 75 of the Constitution requires a State Officer, whether in public or private life to behave in a manner that avoids conflict between personal interest and public official duties.

This Article further prohibits a State Officer who has been removed from office under it from holding any other State Office.

Article 77(1) of the Constitution prohibits a full time State Officer from participating in any other gainful employment.

Article 78 of the Constitution disqualifies persons who are not Kenyan Citizens from appointment as State Officers.

In addition, the Committee considered Section 10 of the Leadership and Integrity Act, 2012 in particular which provides that

*A State Officer shall to the best of their ability*

- (a) Carry out the duties of the Office efficiently and honestly.*
- b) carry out the duties in a transparent and accountable manner*
- c) keep accurate records and documents relating to the functions of the office; and*
- d) report truthfully on all matters of the organization which they represent.*

**(c) Suitability of the nominees with regard to the nominees' abilities, experience and qualities.**

The suitability of the nominees was assessed after scrutiny of the academic credentials, professional training and experience, integrity, background and individual qualities as well as their performance during the approval hearings conducted on Friday, 4<sup>th</sup> November, 2022 and Monday 7<sup>th</sup> November, 2022.

**2.7 Memoranda from Members of the Public in respect of the Nominees**

Pursuant to Section 7(10) of the Public Appointments (County Assemblies Approval) Act, 2017

*“any person may, prior to the approval hearing, and by written statement on oath, provide the Clerk with evidence contesting the suitability of a candidate to hold office to which the candidates has been nominated”,*

The Clerk of the County Assembly placed an advertisement in the print media on Friday, 28<sup>th</sup> October, 2022 (Annexure 2) inviting the Public to submit memoranda by way of written statements on oath (affidavit) on the suitability or otherwise of the nominees in conformity with section 7(10) of the Public Appointments (County Assemblies Approval) Act, 2017.

In this regard, the committee received no memoranda on the nine nominees.

**2.8 Pre- Approval Hearing Meeting**

The Committee held a pre-approval hearing meeting on Thursday 3<sup>rd</sup> November, 2022 and noted the following;-

- (i) **THAT**, none of the nominees had notified the Clerk of the County Assembly of their withdrawal from the approval process as outlined

under section 7(12) of the Public Appointments (County Assemblies Approvals) Act, 2017.

(ii) **THAT**, Article 179 (3) (a) of the Constitution provides that;

179 (3) (a) *the number of Members appointed under clause 2 (b) shall not exceed 10 if the Assembly has 30 or more members.*

**THAT**, the Committee would examine the nominees against the criteria set out in Section 8 of the Public Appointments (County Assemblies Approval) Act, 2017.

### **3.0 APPROVAL HEARINGS OF THE NOMINEES**

The Committee conducted the approval hearings on Friday 4th November, 2022 and Monday 7th November 2022. The nominees were vetted under oath pursuant to the Public Appointments (County Assemblies Approval) Act, 2017 and the County Assembly of Bungoma Standing Orders.

#### **3.1 DR. DAVID WAMAMILI WANYONYI: - NOMINEE FOR THE POSITION OF COUNTY EXECUTIVE COMMITTEE MEMBER FOR EDUCATION AND VOCATIONAL TRAINING.**

Mr. David Wamamili Wanyonyi, the nominee for County Executive Committee Member for Education and Vocational Training, appeared before the committee on Friday 4th November, 2022 at 9:00 a.m. The Committee noted the following: -

##### **Date and Place of Birth**

The nominee is a Kenyan male born on 6<sup>th</sup> October, 1966, in Ndivisi, Webuye East Sub County; Bungoma County. The nominee is a Kenyan citizen and does not hold any other citizenship.

##### **Academic and Professional Qualification**

The nominee holds a Doctorate Degree of Philosophy in Educational Communication and Technology, Masters of philosophy degree in Kiswahili; both from Moi University. Further, he holds a post graduate diploma in Education and a Bachelor of Arts degree both from Kenyatta University.

##### **Employment Record**

The nominee has a cumulative 32 years working experience; 13 of which he served as a Teacher in various secondary schools in the Country. He is currently a Senior Lecturer in Moi University; a position he has held since 2003.

##### **Income and net worth**

The nominee's estimated net worth is 50 million shillings; with his sources of income being from salary, rental houses and farming.

##### **Professional association and membership**

The nominee is a Member of African Network of internationalization of Education. He is also a Board Member of Sinoko Secondary School and Kikai Girls Secondary school.

### **Published writings**

The nominee has made 15 publications which he has listed in his Curriculum Vitae.

### **Potential Conflict of Interest**

The questionnaire filled by the nominee indicates that there were no areas that would create potential conflict of interest. During the approval hearing, he stated that as a public officer if such a case arises then he would declare his interest and disqualify himself from participating in any such process.

### **Pro-bono/Charity Work**

The nominee is involved in charity work through contributions and donations to churches and other institutions.

### **Integrity**

The nominee has neither been charged in a court of law nor mentioned in any investigatory report of Parliament or any Commission of Inquiry in the last three (3) years. He has also never been dismissed or otherwise removed from office for contravention of the provisions of Article 75 of the Constitution.

#### **3.1.1 GENERAL AND SECTOR SPECIFIC QUESTIONS**

The Committee posed several questions to the nominee on his knowledge of the public Service. The nominee responded as follows:-

On the functions of the County Executive Committee, the nominee stated that he was aware of the functions of the County Executive Committee Member as outlined in the Article 183 of the Constitution of Kenya, 2010.

On shortage of ECDE teachers across the County, the nominee informed the Committee that he will follow the laid down guidelines while addressing the shortage.

Regarding the working relationships with the County Assembly, the nominee committed that he would create a synergized relationship with the legislative arm of the County Government.

On outstanding commitments in scholarships and bursaries, the nominee indicated that once he assumes office, he would first determine the authenticity of beneficiaries before making any commitments.

With regard to the report by the Education Taskforce on County Scholarships, the nominee agreed with the findings of the report and stated

that the officers responsible need to take responsibility for the stated malpractices.

### **3.1.2 COMMITTEE'S OBSERVATIONS ON THE SUITABILITY OF THE NOMINEE**

The Committee having considered the nominee's filled questionnaire pursuant to Section 6(8) of the Public Appointments (County Assembly Approval) Act, 2017, his curriculum vitae and having heard his oral submission during the approval hearing made the following observations: -

- (1) **THAT**, the nominee is a Senior Lecturer at Moi University having served in the university since 2003.
- (2) **THAT**, the nominee meets the requirements of Chapter Six of the Constitution on leadership and integrity.
- (3) **THAT**, the nominee has not been charged in a court of law in the past three years.
- (4) **THAT**, the nominee has never been dismissed from office under Article 75 of the Constitution for contravention of the Provisions of Article 75(1) (conflict of interest), Article 76 (financial probity).
- (5) From his submission during approval hearing, the nominee demonstrated knowledge, skills and experience in leadership and institutional management. He was also conversant with role of the County Executive Committee Member as well as laws and policies related to his position.
- (6) **THAT**, in accordance with Article 78(1) and (2) of the Constitution, the nominee is eligible for appointment to the State Office since he is a Kenyan citizen born in Bungoma County and does not hold dual citizenship.

### **3.2 MR. HERBERT WANJALA KIBUNGUCHY: - NOMINEE FOR THE POSITION OF COUNTY EXECUTIVE COMMITTEE MEMBER FOR ENVIRONMENT, WATER, TOURISM AND NATURAL RESOURCES**

Mr. Herbert Wanjala Kibunguchy appeared before Committee on Friday 4<sup>th</sup> November, 2022 at 11.00 a.m. He was vetted under oath pursuant to the Public Appointments (County Assemblies Approval) Act, 2017 and the County Assembly of Bungoma Standing Orders: The committee observed as follows:-

That he is a Kenyan citizen born in the year 1957 in Matulo, Webuye West Sub County.

#### **Academic and professional qualifications**

The nominee holds a Bachelor's Degree in Civil Engineering from Sacramento State University-USA.

#### **Honors and Awards**

The Nominee has been awarded various commendations in Transportation-Caltrans in 2003.

Recognition for team work, perseverance and excellence in 2001,

Dare to Soar-Caltrans and Top Wat-Caltrans-Caltrans in 1998, Capital Projects Delivery-Caltrans-Caltrans in 2002 and 2003; and

Awarded a certificate of appreciation by Calrans in 2011

#### **Income and net worth**

The nominee stated his net worth to be approximately 341 Million shillings; with the sources of income being from rental premises, Pension and Social Security, hotel business and Engineering consultancy.

#### **Professional association and membership**

He is a Member of the Engineers Registration Board of Kenya and the California Board of Professional Engineers and Land Surveyors.

#### **Potential Conflicts of Interest**

The nominee declared that, currently he does not have any personal relations or matters that would present potential conflict of interest; and should he assume the position of County Executive Committee Member and conflict of interest arise, he would recuse himself.



### **Pro-bono/Charity Work**

The nominee stated that he has undertaken various charity initiatives and donations to the needy in society.

### **Integrity**

The nominee has neither been charged in a court of law nor mentioned in any investigatory report of Parliament or any Commission of Inquiry in the last three (3) years. He has also never been dismissed or otherwise removed from office for contravention of the provisions of Article 75 of the Constitution.

### **3.2.1 GENERAL AND SECTOR SPECIFIC QUESTIONS**

The Committee posed several questions to the nominee on his knowledge of the sector that he had been nominated to and he responded as follows:-

#### **Integration of his knowledge and experience to the docket that he been nominated**

The nominee stated that his background academic and professional experience in engineering enables one to acquire broad based knowledge that is applicable in the docket. That he adapts very easily to any environment and hence comfortable with the department that he had been nominated to.

#### **On water needs within the County**

The nominee acknowledged that there was water shortage in the County, hence the need to secure the water sources; which will include the protection of the water tower in Mt. Elgon. The Nominee underscored the need of drilling boreholes in the Wards to supplement tap water supply.

#### **Regarding the conflict between the Communities around the water tower in Mt. Elgon and the Nzoia Water Services Company**

The nominee responded that he would explore arbitration and other conflict resolution mechanisms to resolve the issues.

#### **On promoting tourism within the County,**

The nominee informed the committee that, there was need for the County Government to improve the road network leading up to the Mt. Elgon National Park on the lower entrance through Kapsokwony; to aid access to the facility. He also stated that if confirmed to the position, he would work

closely with the hospitality industry stakeholders to uphold standards that are attractive to the tourists through private public partnerships.

**On environmental conservation**, the nominee observed that in view of the climate change, there was need to increase forest cover in line with the President's directive and that he would work with county residents with focus on growing fruit trees.

### **3.2.2 COMMITTEE OBSERVATIONS ON THE SUITABILITY OF THE NOMINEE**

The Committee having considered information from the nominee's filled questionnaire pursuant to section 7(8) of the Public Appointments (County Assemblies Approval) Act, his curriculum vitae and having heard his oral submission during the approval hearing made the following observations: -

- (1) **THAT**, the nominee is a former Chief Officer; having served in the first regime of the County Government of Bungoma from 2013-2018.
- (2) **THAT**, the nominee meets the requirements of Chapter Six of the Constitution on leadership and integrity.
- (3) **THAT**, the nominee has not been charged in a court of law in the past three years.
- (4) **THAT**, the nominee has never been dismissed from office under Article 75 of the Constitution for Contravention of the Provisions of Article 75(1) (conflict of interest), Article 76 (financial probity).
- (5) **THAT**, the nominee demonstrated knowledge of topical, administrative and technical issues touching on the Office of County Executive Committee Member for Environment, Water, Tourism and Natural Resources.
- (6) **THAT**, in accordance with Article 78(1) and (2) of the Constitution, the nominee is eligible for appointment to the State office since he is a Kenyan citizen born in Matulo, Webuye West Sub County and does not hold dual citizenship.

**3.3 MS. CAROLYNE KHALAYI MAKALI: - NOMINEE FOR THE POSITION OF COUNTY EXECUTIVE COMMITTEE MEMBER FOR TRADE, ENERGY AND INDUSTRIALIZATION.**

Ms. Carolyn Khalayi Makali, the nominee for County Executive Committee Member for Trade, Energy and Industrialization appeared before the committee on 4<sup>th</sup> November 2022 at 12:30 p.m. She was vetted under oath pursuant to the Public Appointments (County Assemblies Approval) Act, 2017 and the County Assembly of Bungoma Standing Orders.

The Committee having heard her submissions made the following observations: -

**Date and place of birth**

The nominee is a Kenyan female resident of Bungoma County, Kenya, born on 10<sup>th</sup> of December, 1986 in Nangili, Luuya Bwake Ward of Kabuchai Sub County.

**Academic Background**

The nominee holds a Bachelor's Degree in Commerce (Accounting option) from Kibabii University (2017), a Diploma in Business Management from Bungoma College of Technology (2015), a Certificate in Business management from Bungoma College of technology (2007) and a certificate of proficiency in information and communication Technology from International digital college. She is a CPA holder (part 3 of 5)

**Professional Experience**

Ms. Carolyn Khalayi has worked as an office assistant with Tertiary Consulting Engineers from 2012 to 2013 and as an employee of NG-CDF Kabuchai from 2013 -2022.

**Potential Conflict of Interest**

The nominee indicated that there were no family members or persons of interest in the department that would pose any conflict of interest; and that should they arise, she would follow the laid down rules and regulations.

**Income and net worth**

The nominee estimated her net worth to be five million shillings; with her sources of income being from salary, rental proceeds, dividends and farming activities

### **Pro-Bono/ charity work**

The nominee informed the committee that she has done donations to Kanduyi childrens' Home and sponsored a student to undertake a diploma Course at Kisiwa Technical Institute. She has also donated fruit seedlings to various schools in Luuya Bwake Ward.

### **Integrity**

The nominee has neither been charged in a court of law nor mentioned in any investigatory report of Parliament or any Commission of Inquiry in the last three (3) years. She has also never been dismissed or otherwise removed from office for contravention of the provisions of Article 75 of the Constitution.

### **3.3.1 GENERAL AND SECTOR SPECIFIC QUESTIONS**

#### **Knowledge of the Relevant Field**

From her submissions the nominee exhibited average understanding and experience in leadership and institutional management, especially on the position which she had been nominated to.

#### **Plans for the Department**

The nominee stated if approved for appointment, she was going to review some of the policies that were developed but not implemented. That together with stakeholders and technocrats, they were going to work on policies such as the Trade Loans Policy, review and roll out financial assistance to members of the public.

#### **On relevant work experience to the portfolio**

The nominee acknowledged having average experience to the portfolio of her nomination and stated that she would borrow from her previous experiences and undertake capacity development to assist her perform key functions.

#### **On how to address non-payment of trade loans**

The nominee stated that with the help of stakeholders, she will review policies that will regulate the repayment period. That she will form a team that will look into ways of recouping the outstanding debts.

#### **On creation of industries and job creation**

The nominee stated that she will make sure the commitments in the Governor's manifestos are well aligned with the departmental policies. That

she intends to push for the revival of industries such as the Malakisi ginnery and the Chwele chicken slaughter house.

### **On Chepkube Traders Relocation**

With regard to how the nominee will ensure the Chepkube market traders in Bungoma Town move into the newly constructed market block, the nominee was non-committal on her intentions with the matter.

#### **3.3.2 COMMITTEE OBSERVATIONS ON THE SUITABILITY OF THE NOMINEE**

The Committee having considered the nominee's filled questionnaire pursuant to Section 7(8) of the Public Appointments (County Assembly Approval) Act, 2017, her curriculum vitae and having heard her oral submission during the approval hearing made the following observations: -

- (1) **THAT**, the nominee is serving as an employee at NG-CDF Kabuchai Constituency since 2014.
- (2) **THAT**, the nominee meets the requirements of Chapter Six of the Constitution on leadership and integrity
- (3) **THAT**, the nominee has not been charged in a court of law in the past three years.
- (4) **THAT**, the nominee has never been dismissed from office under Article 75 of the Constitution for Contravention of the Provisions of Article 75(1) (conflict of interest), Article 76 (financial probity)
- (5) **THAT**, the nominee had average understanding of the general topical, administrative and technical issues touching on the functions of the County Executive Committee Member.
- (6) **THAT**, in accordance with Article 78(1) and (2) of the Constitution, the nominee is eligible for appointment to the State Office since she is a Kenyan citizen born in Bungoma County and does not hold dual citizenship.

### **3.4 MR. BONVENTURE CHENGEK CHEMAKET: - NOMINEE FOR THE POSITION OF COUNTY EXECUTIVE COMMITTEE MEMBER FOR ROADS, TRANSPORT, INFRASTRUCTURE AND PUBLIC WORKS.**

Mr. Bonventure Chengek Chemaket, the nominee for County Executive Committee Member for Roads, Transport, Infrastructure and Public Works appeared before the committee on 4<sup>th</sup> November 2022 at 3:00 p.m. He was vetted under oath pursuant to the Public Appointments (County Assemblies Approval) Act, 2017 and the County Assembly of Bungoma Standing Orders.

The Committee having heard his submissions made the following observations:-

#### **Date and place of birth**

The nominee was born on 13<sup>th</sup> July, 1984 at Ngachi Sub Location, Cheptais Ward in Mt. Elgon.

#### **Academic and professional qualifications**

The nominee holds a Bachelor of Development Studies Degree from Makerere University (2008) and a Master of Business Administration (Executive) from Moi University (2012)

#### **Employment Record**

The nominee is currently engaged as Platform Manager at Act Change Transform, Nairobi since February 2018. He has worked as the Project Officer at PACT INC. from January to December 2011, and also with the Interim Independent Electoral Commission from December 2010 to January 2012.

#### **Honors and Awards**

The nominee has received awards and honors from;

- Nuffic Netherlands Fellowship
- International Research and Exchanges Board-Irex

#### **Income and net worth**

The nominee stated that his estimated net worth was 91,700,000 shillings. His sources of income range from salary, rental income, farming activities to provision of consultancy services.

### **Potential Conflicts of Interest**

The nominee declared that he does not have any persons or matter that would present potential conflict of interest should he assume the position of County Executive Committee Member; and should conflict of interest arise; the nominee stated that he would declare the interest and recuse himself from such engagement.

### **Pro-bono/Charity Work**

The nominee has been involved in:

1. The Elgon Young Professionals in support of education for the needy students in Mt. Elgon and girl child education.
2. The Bungoma 4 by 4 Environmental Conservation and Protection of the Jumbo charge initiative in Mt. Elgon forest.

### **Integrity**

The nominee has neither been charged in a court of law nor mentioned in any investigatory report of parliamentary or any Commission of Inquiry in the last three (3) years.

He has never been dismissed or otherwise removed from office for contravention of the provisions of Article 75 of the Constitution.

#### **3.4.1 GENERAL AND SECTOR SPECIFIC QUESTIONS**

The committee posed several questions to the nominee to ascertain his knowledge of the Sector. The nominee responded as follows:-

#### **Pending bills owed to contractors**

The nominee responded that he was aware that the department has huge pending bills. He stated that should he be approved for appointment, he would carry out a forensic audit on all pending bills to determine genuine projects before making any commitment.

#### **Disaster Management and Preparedness in Bungoma County**

The nominee stated that he would ensure the officers in charge are responsive to all disaster eventualities within the County. That he will give budget proposals for allocation of funds through the County Assembly, to enable the County acquire more fire engines and installation of additional fire stations strategically at Webuye and Chwele.

### **Major roads projects in the County**

The nominee stated that he was aware of the two major projects, the dual carriage way project and the Misikhu- Brigadier road that was being partially funded by the National government. He undertook to establish their status before engaging KENHA and the County Assembly for budgetary goodwill to facilitate their completion.

### **Bills of Quantities timelines**

The nominee stated that the delay in preparation of bills of quantities was a hindrance to the implementation of several county projects. That if approved, he would create specialized teams to manage timely preparation of BQs for effective tendering and distribution of resources.

#### **3.4.2 COMMITTEE OBSERVATIONS ON THE SUITABILITY OF THE NOMINEE**

The Committee having considered the nominee's filled questionnaire pursuant to section 7(8) of the Public Appointments (County Assemblies Approval) Act, 2017 his curriculum vitae and having heard his oral submission during the approval hearing, made the following observations: -

- (1) THAT, the nominee has been working at Act Change Transform, Nairobi since January 2012, where he has risen to the position of a Platform Manager.
- (2) THAT, the nominee meets the requirements of Chapter Six of the Constitution on leadership and integrity
- (3) THAT, the nominee has not been charged in a court of law in the past three years.
- (4) THAT, the nominee has never been dismissed from office under Article 75 of the Constitution for Contravention of the Provisions of Article 75(1) (conflict of interest) and Article 76 (financial probity).
- (5) THAT, the nominee demonstrated knowledge of topical, administrative and technical issues on Roads, Transport, Infrastructure and Public Works.
- (6) THAT, in accordance with Article 78(1) and (2) of the Constitution, the nominee is eligible for appointment to the State Office since he is a Kenyan citizen born in Ngachi Sub Location, Cheptais in Mt. Elgon and does not hold dual citizenship.



### **3.5 DR. ANDREW WEKESA WAMALWA: - NOMINEE FOR THE POSITION OF COUNTY EXECUTIVE COMMITTEE MEMBER FOR HEALTH AND SANITATION.**

Dr. Andrew Wekesa Wamalwa the nominee for County Executive Committee Member for Roads, Transport, Infrastructure and Public Works appeared before the committee on 4<sup>th</sup> November 2022 at 4:30 p.m. He was vetted under oath pursuant to the Public Appointments (County Assemblies Approval) Act, 2017 and the County Assembly of Bungoma Standing Orders.

The Committee having heard his submissions made the following observations:-

#### **Date and place of birth**

That he is a Kenyan citizen born on 4<sup>th</sup> September, 1983 in Lugari, Kakamega County.

#### **Academic and Professional qualifications**

That he holds a Masters of Medicine in Family Medicine (2022) from the University Of Medical Sciences Of Havana (Cuba), on-going Masters of Science in Health Economics and Policy studies at the University of Nairobi, and a Bachelor of Medicine and Surgery degree (2008) from the University of Nairobi.

The nominee has undertaken the following professional courses: Leadership Development Program by Management Sciences for Health; Performance Contracting and Reporting for Human Resources, Providers as Advocates Training by Ipas and Value Clarification and Attitude Transformation in Health.

#### **Work and professional Experience**

The nominee is currently serving as a Family physician at the Bungoma County Referral Hospital; he has held the position of Medical Superintendent in Kimilili Sub County Hospital from October 2017 to July 2018. He also served as the District Medical Officer of Health in Samia District in Busia County, Sirisia Sub County and Webuye East Sub County for a cumulative period of eight (8) years.

He has participated in international conferences and study tours on health service delivery in Ethiopia (2012), Ghana (2015), South Sudan (2017) and Cuba (2018- 2021).

His other experience has been acquired through collaboration with Non-Governmental Organizations including AMREF, Population Services International, AMPATH, Ipas African Alliance, APHIA Plus, Marie Stopes Kenya, Management Services for Health, International Rescue Committee, Capacity Kenya; Commission for the Implementation of the Constitution and various Community Based Organizations.

The nominee has a practicing medical license issued by the Kenya Medical Practitioners' and Dentists' Council and is a member of the Kenya Association of Family Physicians.

#### **Potential Conflict of Interest**

The nominee submitted that he had no family relations, litigation history or financial arrangements that could give way to any potential conflict of interest; and that if conflict arises; he would disclose his interest.

#### **Source of Income and Net worth**

The nominee stated his net worth to be approximately 34 million shillings. He attributed his income sources to:

- (i) Salary
- (ii) Farming activities

#### **Pro- bono/ charity work**

The nominee has participated in the payment of school fees for needy learners at Egerton University, Eldoret polytechnic and Cardinal Otunga Girls'.

#### **Integrity**

The nominee posed no questionable integrity status. He has never been adversely mentioned in any investigatory report of Parliament or any other Commission of Inquiry; he has also not been charged in any court of law in the last three years.

The nominee further submitted that he has not been adversely associated with practices that depict bias, favoritism, or nepotism in the discharge of public duties; neither has he been dismissed or removed from office for contravention of the provisions of Article 75 of the Constitution.

### **3.5.1 GENERAL AND SECTOR SPECIFIC QUESTIONS**

#### **Standardization of Health services**

The nominee stated that if he is approved for appointment to the position, he would strive to operationalize the Health Services Act, 2019, for quality services delivery in the Health department.

That he would champion for enhancement of internal audit mechanisms to forestall any malpractices within the medical facilities across the County.

#### **On drugs management**

The nominee committed to fast track drugs surveillance mechanisms in pharmacies so as to ensure proper drugs distribution and management across the County Health facilities. Additionally, he stated that he would ensure mapping of diseases from the Sub County level to ensure social accountability and community participation.

#### **On revenue enhancement in public health facilities**

The nominee stated that he would champion for the enactment of the Health Financing Policy to rationalize charges across the various health facilities in the County.

That he would fast track the automation of revenue collection in peripheral facilities to harmonize revenue collection.

### **3.5.2 COMMITTEE OBSERVATIONS ON THE SUITABILITY OF THE NOMINEE**

The Committee having considered the nominee's filled questionnaire pursuant to section 7(8) of the Public Appointments (County Assemblies Approval) Act, 2017, his curriculum vitae and having heard his oral submission during the approval hearing, made the following observations: -

- (1) **THAT**, the nominee is currently serving as a Family physician at the Bungoma County Referral Hospital.
- (2) **THAT**, the nominee meets the requirements of Chapter Six of the Constitution on leadership and integrity.
- (3) **THAT**, the nominee has not been charged in a court of law in the past three years.
- (4) **THAT**, the nominee has never been dismissed from office under Article 75 of the Constitution for Contravention of the Provisions of Article 75(1) (conflict of interest) and Article 76 (financial probity).

- (5) **THAT**, the nominee demonstrated knowledge of topical, administrative and technical issues touching on the Office of County Executive Committee Member for Health and Sanitation.
- (6) **THAT**, in accordance with Article 78(1) and (2) of the Constitution, the nominee is eligible for appointment to the State Office since he is a Kenyan citizen born in Lugari, Kakamega County and does not hold dual citizenship.

**3.6 MS. NANCY CHARITY KIBABA: - NOMINEE FOR THE POSITION OF COUNTY EXECUTIVE COMMITTEE MEMBER FOR GENDER, CULTURE, YOUTH AND SPORTS.**

Ms. Nancy Charity Kibaba nominee For the Position of County Executive Committee Member for Gender, Culture, Youth and Sports appeared before Committee on Monday 7<sup>th</sup> November, 2022 at 9:00 a.m. She was vetted under oath and pursuant to the Public Appointments (County Assemblies Approval) Act, 2017 and the County Assembly of Bungoma Standing Orders:

The Committee observed as follows: -

**Date and Place of Birth**

The nominee was born on 30<sup>th</sup> May 1982 in Mukuyuni Sub-location, Chwele location, Kabuchai Sub-County.

**Academic and professional qualifications**

The nominee holds a Bachelor of Arts- Double major in Political Science and Sociology from University of Nairobi (2017) and a Bachelor of Theology from North-western Theological Seminary (2010).

**Employment Record:**

The nominee has served as the Advisor to the Bungoma County Governor on Gender, Youth, Sports and Boda boda Affairs from 2018-2022. In 2017 the nominee was a trainer of women in leadership at Devolution Administrative Institute. She was nominated as Member of County Assembly in Bungoma from 2013-2017.

**Income and net worth**

The nominee estimated her net worth at ten million, five hundred thousand Shillings (10,500,000). Her sources of income include farming activities and salary.

**Potential Conflict of Interest**

The nominee declared that she currently does not have any personal relations or matters that would present potential conflict of interest should she assume the position of County Executive Committee Member. She further stated that should such conflict, she would recuse herself from the proceedings.

### **Pro-bono/Charity Work**

The nominee has been involved in the following charity works;

Rescuing children who have been defiled;

Donation of desks to Bitobo High School and Kaptanai Secondary School.

### **Integrity**

The nominee has neither been charged in a court of law nor mentioned in any investigatory report of parliament or any Commission of Inquiry in the last three (3) years. She has also never been dismissed or otherwise removed from office for contravention of the provisions of Article 75 of the Constitution.

### **3.6.1 GENERAL AND SECTOR SPECIFIC QUESTIONS**

The committee posed several questions to the nominee on her knowledge of the sector. The nominee responded as follows: -

#### **Preservation and promotion of Bungoma's heritage**

The nominee stated that she would work on policies and bills that will promote culture, Art and the creative industry. That through introduction of sporting events and cultural days in the county, she intends to promote culture.

#### **Status of stadia in the County**

The nominee named Masinde Muliro Stadium, Nalondo Stadium Amutala Stadium, Mbakalo Stadium, Mayuba Stadium and Chemoge High altitude Centre as sports and recreational facilities within the County. She was able to elaborate on the status of each of the facilities and spelt out measures that she would undertake to improve on the said facilities if she was approved for appointment to the office of CEC member.

The nominee emphasized on the need to have standard sporting facilities in the County. She stated that she was ready to present budget proposals to the County Assembly that will enable the completion of construction at Kanduyi Stadium as well as the High Altitude Training Centre in Mt Elgon, to promote sporting talents and events.

### **3.6.2 COMMITTEE OBSERVATIONS ON THE SUITABILITY OF THE NOMINEE**

The Committee having considered the nominee's filled questionnaire pursuant to section 7(8) of the Public Appointments (County Assemblies Approval) Act, 2017, her curriculum vitae and having heard her oral submissions during the approval hearing, made the following observations: -

- (1) **THAT**, the nominee was the immediate former Advisor to the Governor of Bungoma County on matters concerning Gender, Youth, Sports and Boda boda Affairs.
- (2) **THAT**, the nominee meets the requirements of Chapter Six of the Constitution on leadership and integrity.
- (3) **THAT**, the nominee has not been charged in a court of law in the past three years.
- (4) **THAT**, the nominee has never been dismissed from office under Article 75 of the Constitution for Contravention of the Provisions of Article 75(1) (conflict of interest), Article 76 (financial probity).
- (5) **THAT**, the nominee demonstrated knowledge of topical, administrative and issues touching on Gender, Culture, Youth & Sports in Bungoma County.
- (6) **THAT**, in accordance with Article 78(1) and (2) of the constitution, the nominee is eligible for appointment to the State Office since he is a Kenyan citizen born in Bungoma County, and does not hold dual citizenship.

### **3.7 MS. MONICAH SALANO FEDHA: - NOMINEE FOR THE POSITION OF COUNTY EXECUTIVE COMMITTEE MEMBER FOR AGRICULTURE, LIVESTOCK, FISHERIES, IRRIGATION AND COOPERATIVE DEVELOPMENT.**

Ms. Monicah Salano Fedha nominee for the Position of County Executive Committee Member for Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development appeared before Committee on Monday 7th November, 2022 at 11:00 a.m. She was vetted under oath and pursuant to the Public Appointments (County Assemblies Approval) Act, 2017 and the County Assembly of Bungoma Standing Orders:

The Committee observed as follows: -

#### **Date and place of birth**

The nominee is a Kenyan female born on 15<sup>th</sup> July, 1968 in Naitiri Sub-Location, Tongaren in Bungoma County.

#### **Academic and Professional Qualifications**

She holds a Bachelors degree in Agriculture and Home Economics from Egerton University and Master of Science degree in Food Science and Postharvest Technology from Jomo Kenyatta University of Agriculture and Technology.

#### **Work and Professional Experience**

The nominee is currently serving as a Sub-County Agricultural Officer in Seme, Kisumu County. She served as the Chief Officer in the County Government of Bungoma under the Department of Education, Youth Affairs and sports from 2015 to 2018; she also served as the acting Chief Officer in the Department of Livestock and Fisheries from 2015 to 2016 and substantive Chief Officer for Agriculture, Irrigation and Cooperative from 2014 to 2015. The nominee served as Agricultural Officer in the Ministry of Agriculture in Kisumu West and Keiyo districts.

#### **Professional association and memberships**

She is a Member of the Horticultural Association of Kenya; Member of Kenya professionals Association of Women in Agriculture and Environment and a Member of Kenya society of Agricultural professionals

#### **Potential Conflict of Interest**

The nominee stated that she has no immediate associations that are likely to present potential conflict of interest if she assumes the position. That if



conflict arises, she would disclose her interest and recuse herself from the proceedings.

### **Sources of income and net worth**

The nominee estimated her net worth to be 30 million shillings; with the sources of income being from salary, dairy farming, maize farming and tractor hire services.

### **Pro-Bono/ charity work**

The nominee informed the Committee that she has assisted in construction several churches where she donated bags of cement and cash.

### **Integrity**

The nominee has neither been charged in a court of law nor mentioned in any investigatory report of parliament or any Commission of Inquiry in the last three (3) years. She has also never been dismissed or otherwise removed from office for contravention of the provisions of Article 75 of the Constitution.

## **3.7.1 GENERAL AND SECTOR SPECIFIC QUESTIONS TO THE NOMINEE**

### **Fertilizer distribution**

The nominee stated that she would ensure that subsidized fertilizer will be given to needy persons across the 45 Wards. She added that there was need of policy formulation to guide the distribution process.

### **Agriculture sector in Bungoma**

The nominee listed the challenges facing farmers and shared the strategies that she would use, which include professional trainings and workshops to capacity build their abilities.

### **Programs for the department**

The nominee informed the Committee that, she intends to sensitize farmers on the benefits of agri-business, and that she would introduce agriculture fund/agriculture guarantee scheme as well as introduction of subsidy programs to cushion poultry farming in the County.

### **3.7.2 COMMITTEE OBSERVATIONS ON THE SUITABILITY OF THE NOMINEE**

The Committee having considered the nominee's filled questionnaire pursuant to section 7(8) of the Public Appointments (County Assemblies Approval) Act, 2017, her curriculum vitae and having heard his oral submission during the approval hearing, made the following observations: -

- (1) **THAT**, the nominee is currently serving as a Sub-County Agricultural officer in Seme, Kisumu County.
- (2) **THAT**, the nominee meets the requirements of Chapter Six of the Constitution on leadership and integrity.
- (3) **THAT**, the nominee has not been charged in a court of law in the past three years.
- (4) **THAT**, the nominee has never been dismissed from office under Article 75 of the Constitution for Contravention of the Provisions of Article 75(1) (conflict of interest), Article 76 (financial probity),
- (5) **THAT**, the nominee demonstrated knowledge of topical, administrative and technical issues touching on the Office County Executive Committee Member for Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development.
- (6) **THAT**, in accordance with Article 78(1) and (2) of the Constitution, the nominee is eligible for appointment to the State Office since she is a Kenyan citizen born in Naitiri Sub-Location in Tongaren, Bungoma County and does not hold dual citizenship.

### **3.8 MR. WEKESA DOUGLAS SASITA: - NOMINEE FOR THE POSITION OF COUNTY EXECUTIVE COMMITTEE MEMBER FOR LANDS, URBAN/ PHYSICAL PLANNING, HOUSING AND MUNICIPALITIES**

Mr. Douglas Sasita Wekesa, the nominee for County Executive Committee Member for Lands, Urban and Physical Planning, Housing and Municipalities. The nominee appeared before the committee on Monday 7<sup>th</sup> November, 2022 at 12:30 p.m. and was vetted under oath.

The Committee noted as follows: -

#### **Date and place of birth**

The nominee is a Kenyan male born on 29<sup>th</sup> October, 1979 in Watoya Sub – Location, Kabula Location, Bumula sub-county, Bungoma County. The nominee does not hold any other citizenship.

#### **Academic Qualifications**

He holds a Bachelor of Architecture Degree from the University of Nairobi (2007).

#### **Employment Record**

The nominee has a cumulative 14 years working experience; 3 years of which he served as a Chairperson of Bungoma Municipality Board in the County Government of Bungoma. Currently he is the Director of Yellowine Group limited.

#### **Potential Conflict of Interest**

The Nominee stated that, there were no areas that would create potential conflict of interest. That if such a case arises, he would declare his interest and step down from participating in the process.

#### **Income and net worth**

The nominee estimated his net worth to be 98 million shillings; with his sources of income being from consultancy services, farming activities and copyright payments.

#### **Professional association and memberships**

He is a Member of the Association for the Needy Children of Kenya, Divine Mercy Centre.

### **Pro-Bono/ charity work**

The nominee has participated in a number of charity activities including; tiling a classroom at Mwiruti girls; supporting four students at Kenya Medical Training College between 2016 and 2022. He has also supported various small churches in Bumula Sub-county

### **Integrity**

The nominee posed no questionable integrity status. He has never been adversely mentioned in any investigatory report of Parliament or any other Commission of Inquiry; he has also not been charged in any court of law in the last three years.

The nominee further submitted that he has not been adversely associated with practices that depict bias, favouritism, or nepotism in the discharge of public duties; neither has he been dismissed or removed from office for contravention of the provisions of Article 75 of the Constitution.

### **3.8.1 GENERAL AND SECTOR SPECIFIC QUESTIONS**

The committee posed several questions to the nominee on his knowledge of the sector. The nominee responded as follows:-

#### **Status of Bungoma and Kimilili municipality**

The nominee was aware with the challenges facing the municipalities. Having served as a Chairperson of Bungoma Municipality, he stated that he would ensure that the functions of the Municipalities as outlined in the Municipal Charters are executed once he assumes office.

#### **State of County Houses**

The nominee stated that if confirmed, he would carry out an audit on all the County Government houses to ascertain their status and forward budget proposal to the County Assembly to enable renovations to be undertaken.

### **3.8.2 COMMITTEE OBSERVATIONS ON THE SUITABILITY OF THE NOMINEE**

The Committee having considered the nominee's filled questionnaire pursuant to section 7(8) of the Public Appointments (County Assembly Approval) Act, 2017, his curriculum vitae and having heard oral submission during the approval hearing, made the following observations: -

- (7) THAT, the nominee is currently the Director at Yellow wine Group Limited, a position he has served since October 2016.
- (8) THAT, the nominee meets the requirements of Chapter Six of the Constitution on leadership and integrity.
- (9) THAT, the nominee has not been charged in a court of law in the past three years.
- (10) THAT, the nominee has never been dismissed from office under Article 75 of the Constitution for Contravention of the Provisions of Article 75(1) (conflict of interest), Article 76 (financial probity).
- (11) THAT, the nominee demonstrated knowledge of topical, administrative and technical issues touching on the functions of the County Executive committee member.
- (12)** THAT, in accordance with Article 78(1) and (2) of the constitution, the nominee is eligible for appointment to the State Office since he is a Kenyan citizen born in Watoya Sub – Location, Bumula Sub-county, Bungoma County and does not hold dual citizenship.

### **3.9 MR. BENEDICT ESIROMO EMACAR: - NOMINEE FOR THE POSITION OF COUNTY EXECUTIVE COMMITTEE MEMBER FOR PUBLIC SERVICE MANAGEMENT AND ADMINISTRATION.**

Mr. Benedict Esiromo Emacar nominee for the position of County Executive Committee Member for Public Service Management and Administration appeared before Committee on Monday 7<sup>th</sup> November, 2022 at 3:00 p.m. He was vetted under oath pursuant to the Public Appointments (County Assemblies Approval) Act, 2017 and the County Assembly of Bungoma Standing Orders:

The committee observed as follows: -

#### **Date and place of birth**

That he is a Kenyan citizen born on 4<sup>th</sup> February, 1962 in Malakisi, Bungoma County.

#### **Academic and Professional qualifications**

He holds a Bachelors Degree of Commerce (1987) and Professional Accounting Certificate CPA- part II (1989).

#### **Work and professional Experience**

The nominee served as an Economic Advisor to the Governor of Bungoma County Between June 2013 and October 2017. He was the Constituency Development Fund Manager for Mt. Elgon, Kimilili, and Butula from September 2007 to May 2013. He also served as the Credit Controller for the Kenya Postal Directories Ltd from March 1994 to November 2005; the Assistant Credit Controller at the Nation Newspaper from Jan 1992 to February 1994; the assistant Accountant with Nation Newspaper from February 1991 to December 1991; Assistant Accountant with Coca-cola Africa from May 1990 to January 1991; the Deputy Internal Auditor at Mumias Sugar Company from January 1989 to December 1989. Additionally; he served as an Assistant to the Purchasing Manager at Mumias Sugar Company from January 1989 to December 1989; Assistant to the Management Accountant at Mumias Sugar Company from November and as a Secondary School Teacher from February 1983 to March 1984.

#### **Potential Conflict of Interest**

The nominee submitted that he had no relations, litigation history or financial arrangements that could give rise to conflict of interest; and that if an event arises that was tantamount to such, he would declare and recuse himself from the proceedings.

### **Source of Income and Net worth**

The nominee stated his net worth to be approximately 28 million shillings. He attributed his income sources to be from Safaricom shares, Farming activities and Family income.

### **Pro- bono/ charity work**

The nominee has participated in providing donations to community projects, building of schools and payment of school fees to several learners as well as championing several church development projects.

### **Integrity**

The nominee posed no questionable integrity status. He has never been adversely mentioned in any investigatory report of Parliament or any other Commission of Inquiry; he has also not been charged in any court of law in the last three years.

The nominee further submitted that he has not been adversely associated with practices that depict bias, favouritism, or nepotism in the discharge of public duties; neither has he been dismissed or removed from office for contravention of the provisions of Article 75 of the Constitution.

### **3.9.1 GENERAL AND SECTOR SPECIFIC QUESTIONS**

The Committee posed several questions to the nominee on his knowledge of the sector he had been nominated. The nominee responded as follows:-

#### **The County Public Service**

The nominee acknowledged that the County wage bill had surpassed the recommended 35% of the County annual budget and stated that he would endeavour to rationalize the staff establishment through physical verification of the county workforce. That he would push for future recruitment to be conducted primarily through promotions from within the existing staff establishment.

That he would champion for the institutionalization of a scheme of service to guide the service and introduce motivational aspects in a bid to create a conducive working environment.

## **Prudent Financial Management**

The nominee informed the committee that if approved for appointment to the position; he would introduce prudent finance practices in the County especially in terms of imprests management and scaling down unnecessary expenditure.

## **Information Technology**

The nominee stated that if approved, he intends to integrate new age technology and in effect ensuring that the County Website and crucial services are made interactive and available from the County Headquarters' to the lowest unit of administration.

### **3.9.2 COMMITTEE OBSERVATIONS ON THE SUITABILITY OF THE NOMINEE**

The Committee having considered the nominee's filled questionnaire pursuant to Section 7 (8) of the Public Appointments (County Assemblies Approval) Act, his curriculum vitae and having heard his oral submission during the approval hearing, made the following observations.

- (1) **THAT**, the nominee has worked in various positions in the public service including an Economic Advisor to the Governor, Fund Manager for Mt. Elgon, Kimilili, and Butula Constituency Development; and risen through several ranks in the corporate world.
- (2) **THAT**, the nominee meets the requirements of Chapter Six of the Constitution on leadership and integrity.
- (3) **THAT**, the nominee has not been charged in a court of law in the past three years.
- (4) **THAT**, the nominee has never been dismissed from office under Article 75 of the Constitution for Contravention of the Provisions of Article 75(1) (conflict of interest) and Article 76 (financial probity).
- (5) **THAT**, the nominee demonstrated knowledge of topical, administrative and technical issues touching on the Office of Executive Committee Member for Public Service Management and Administration
- (6) **THAT**, in accordance with Article 78(1) of the Constitution, the nominee is eligible for appointment to the State Office since he is a Kenyan citizen born in Malakisi, Bungoma County and does not hold dual citizenship.



#### 4.0 COMMITTEE GENERAL OBSERVATIONS

Pursuant to Section 7(8) & (9) and Section 8 of the Public Appointment (County Assemblies approval) Act, 2017, the committee observed that the following nominees met the integrity threshold; demonstrated knowledge of topical, administrative and technical issues touching on the portfolios to which they had been nominated, and had the requisite abilities, academic qualifications and professional experience to be **APPROVED** for appointment-

- (1) **Dr. David Wamamili Wanyonyi**, nominee for County Executive Committee Member for Education and Vocational Training.
- (2) **Mr. Herbert Wanjala Kibunguchy**, nominee for County Executive Committee Member for Tourism, Environment, Water and Natural Resources.
- (3) **Ms. Carlyne Khalayi Makali**, nominee for County Executive Committee Member for Trade, Energy and Industrialization.
- (4) **Mr. Bonventure Chengek Chemaket** nominee for County Executive Committee Member for Roads, Transport, Infrastructure and Public Works.
- (5) **Dr. Andrew Wekesa Wamalwa**, nominee for County Executive Committee Member for Health and Sanitation.
- (6) **Ms. Nancy Charity Kibaba**, nominee for County Executive Committee Member for Gender, Culture, Youth and Sports.
- (7) **Ms. Monicah Salano Fedha**, nominee for County Executive Committee Member for Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development.
- (8) **Mr. Wekesa Douglas Sasita**, nominee for County Executive Committee Member for Lands, Urban/ Physical Planning, Housing and Municipalities.
- (9) **Mr. Benedict Esiromo Emacar**, nominee for County Executive Committee Member for Public Service Management and Administration.


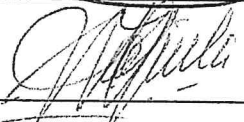
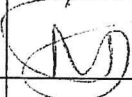
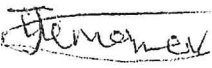



## 5.0 COMMITTEE GENERAL RECOMMENDATIONS

Having conducted the approval hearings for the nominees pursuant to Article 179 (2) of the Constitution, Sections 4, 7 and 8 of the Public Appointments (County Assemblies Approval) Act, 2017 and Standing Order 208 (4), **the Committee recommends that this House;**

- (1) Approves** the nomination of **Dr. David Wamamili Wanyonyi** for appointment as County Executive Committee Member for Education and Vocational Training by His Excellency the Governor of the Bungoma County.
- (2) Approves** the nomination of **Mr. Herbert Wanjala Kibunguchi** for appointment as County Executive Committee Member for Tourism, Environment, Water and Natural Resources by His Excellency the Governor of the Bungoma County.
- (3) Approves** the nomination of **Ms. Carolyne Khalayi Makali** for appointment as County Executive Committee Member for Trade, Energy and Industrialization by His Excellency the Governor of the Bungoma County.
- (4) Approves** the nomination of **Mr. Bonventure Chengek Chemaket** for appointment as County Executive Committee Member for Roads, Transport, Infrastructure and Public Works by His Excellency the Governor of the Bungoma County.
- (5) Approves** the nomination of **Dr. Andrew Wekesa Wamalwa** for appointment as County Executive Committee Member for Health and Sanitation by His Excellency the Governor of the Bungoma County.
- (6) Approves** the nomination of **Ms. Nancy Charity Kibaba** for appointment as County Executive Committee Member for Gender, Culture, Youth and Sports by His Excellency the Governor of the Bungoma County.
- (7) Approves** the nomination of **Ms. Monicah Salano Fedha** for appointment as County Executive Committee Member for Agriculture, Livestock, Fisheries, Irrigation and Cooperative Development by His Excellency the Governor of the Bungoma County.
- (8) Approves** the nomination of **Mr. Wekesa Douglas Sasita** for appointment as County Executive Committee Member for Lands, Urban/ Physical Planning, Housing and Municipalities by His Excellency the Governor of the Bungoma County.
- (9) Approves** the nomination of **Mr. Benedict Esiromo Emacar** for appointment as County Executive Committee Member for Public Service Management and Administration by His Excellency the Governor of the Bungoma County.

## ADOPTION SCHEDULE

We the undersigned Members affix our signatures adopting this report with the contents therein.

	MEMBERS NAME	DESIGNATION	SIGN
1	Hon. Emmanuel Situma	Chairperson	
2	Hon. Stephen Wamalwa	Member	
3	Hon. Joseph Juma	Member	
4	Hon. Anthony Lusenaka	Member	
5	Hon. Joan Kirong	Member	
6	Hon. Everlyne Mutiambu	Member	
7	Hon. James Mukhongo	Member	
8	Hon. Francis Chemion	Member	
9	Hon. George Makari	Member	
10	Hon. Grace Sundukwa	Member	
11	Hon. Vitalis Sifuna	Member	

## **ANNEXURES**

- Annexure 1 Letter of notification from H.E the Governor nominating  
Nine (9) County Executive Committee Members
- Annexure 2 Advertisement inviting submission of memoranda from  
the public, notifying the public of the approval  
hearings and inviting the nominees for approval hearing.
- Annexure 3 Nominee's filled questionnaire and Clearance Certificates
- Annexure 4 Nominee's Curriculum Vitae