

**THIRD COUNTY ASSEMBLY
(NO. 294)**



**FOURTH SESSION
Afternoon Sitting (207)**

COUNTY GOVERNMENT OF BUNGOMA
THIRD COUNTY ASSEMBLY – FOURTH SESSION
THE COUNTY ASSEMBLY OF BUNGOMA
ORDERS OF THE DAY
SUPPLEMENTARY
WEDNESDAY 30TH JULY, 2025 AT 2.30 P.M.
ORDER OF BUSINESS

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motion
7. Questions and Statements (*As listed in the Appendix*)
8. **MOTION** - **THE NOMINATION AND APPOINTMENT OF MEMBERS TO THE COUNTY PUBLIC SERVICE BOARD SELECTION PANEL PURSUANT TO SECTION 58A OF THE COUNTY GOVERNMENTS ACT, 2012.** (*Refer Appendix*)

AWARE THAT, Section 58A(1) of the County Governments Act, 2012 provides that whenever a vacancy arises in the County Public Service Board (CPSB), the Governor shall nominate and, with the approval of the County Assembly, appoint members to a Selection Panel for the purpose of selecting suitable candidates for appointment as members of the CPSB;

FURTHER AWARE THAT, Section 58A(2) of the same Act provides that the Selection Panel shall consist of the following five (5) persons—

- a) a chairperson, not being a public officer;
- b) one person from the private sector;
- c) an Advocate of the High Court of Kenya, who is a member of the Law Society of Kenya;
- d) an accountant who is a member of the Institute of Certified Public Accountants of Kenya; and
- e) one person from an association representing workers;

NOTING THAT, Section 58A(3) provides that in nominating members to the Selection Panel, the Governor shall ensure that not more than two-thirds of the nominees are of the same gender;

COGNIZANT THAT, vide a letter dated 12th June, 2025 to the Speaker, the Governor submitted the names of six (6) nominees as follows:

1. Mr. Moses Narwenyi – Chairperson (Not a public officer)

2. CS. Elizabeth Wanyonyi – Representing the Private Sector
3. Advocate Saul Wasilwa – Advocate of the High Court of Kenya, LSK member
4. CPA Rita Nabalayo – Member of ICPAK
5. Mr. Stephen Chemonges – Representing Workers' Association
6. Mr. Julius Bakasa – Representing Community

CONCERNED THAT, the nomination of six (6) members contravenes Section 58A(2) which strictly provides for five (5) members, and further that Mr. Julius Bakasa does not fall within the five recognized categories outlined in the law;

APPRECIATING THAT, the nominations otherwise comply with the gender rule as required under Section 58A (3), and that five of the six nominees meet the statutory and professional requirements stipulated in law;

NOW THEREFORE, this House resolves to:

1. **Approve the following five (5) nominees** to serve in the Selection Panel for the recruitment of members to the County Public Service Board:
 1. Mr. Moses Narwenyi – Chairperson
 2. CS. Elizabeth Wanyonyi – Representing the Private Sector
 3. Advocate Saul Wasilwa – Advocate of the High Court of Kenya
 4. CPA Rita Nabalayo – Member of ICPAK
 5. Mr. Stephen Chemonges – Representing Workers' Association
2. **Reject the nomination of Mr. Julius Bakasa**, on the basis that his inclusion exceeds the legally provided number and his role does not align with the statutory categories stipulated in Section 58A(2) of the County Governments Act, 2012

9. **MOTION - REPORT OF THE SECTORAL COMMITTEE ON EDUCATION AND VOCATIONAL TRAINING ON IMPLEMENTATION OF HOUSE RESOLUTIONS OF ADOPTED REPORTS FOR THE YEAR 2022 AND 2023**

(Chairperson, Sectoral Committee on Education and Vocational Training)

THAT, this House adopts the report of the Sectoral Committee on Education and Vocational Training on implementation of House resolutions of adopted reports for the year 2022 and 2023; *laid on the Table of the House on Wednesday 9th July, 2025*

10. **BILLS – BUNGOMA COUNTY VALUATION AND RATING BILL, 2024**

(Chairperson, Sectoral Committee on Lands, Urban and Physical Planning)

A Bill for an Act of the County Assembly of Bungoma to give effect to the provisions of Article 209 (3) of the Constitution to provide a comprehensive framework for the imposition of rates on land, buildings and other immovable property in Bungoma County and for connected purposes

(Third Reading)

(NO. 294)

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APPENDIX

ORDER NO 7 – QUESTIONS AND STATEMENTS

It is notified that, pursuant to S.O. 49, the CECM, Department of Finance and Economic Planning, will respond to the following Statement on Wednesday (Afternoon) 30th July, 2025.

Statement No Statement

Question No. 19/2025 Member for Tongaren - Kiminini Ward (Hon. Johnston Okasida Ipara, – MCA) to get a response from the CECM, Department of Finance and Economic Planning. This is in relation to the management of the County emergency funds in Bungoma County. In the response, let the CECM state and elaborate on the following:

1. Do the regulations outline the sources, eligible expenditures, approval procedures and accountability mechanisms?
2. What is the total amount allocated to the emergency fund in each of the financial years 2022 – 2023, 2023 – 2024 and 2024 – 2025?
3. How much was withdrawn from the fund each financial year and provide statements including relevant tender documents/cash purchase receipts where applicable.
4. Let CECM provide a list of specific emergencies/disasters where expenditure was incurred and indicate the benefiting ward.
5. Who authorized the expenditures?
6. Did the CECM report the said expenditures to the County Assembly within two months as required under the Public Finance Management Act?
7. When was the last time such report was submitted to the County Assembly for approval?
8. Has the emergency been audited by the Office of the Auditor General for the period in question? And if yes, let the CECM provide copies of the said reports.
9. If adverse findings were made what actions have been taken to remedy the anomalies?
10. Is the public aware of the existence and purpose of the emergency fund?
11. Have any ward administrators and community leaders been involved in reporting, assessing or responding to emergencies?
12. What systems are in place to monitor and evaluate the impact of the emergency fund expenditures?
13. Since the enactment of the Regulations have they served their purpose, and if not, has the department put up any proposals for review to the County Assembly to enhance controls and reporting timelines?

ORDER NO 8 – THE NOMINATION AND APPOINTMENT OF MEMBERS TO THE COUNTY PUBLIC SERVICE BOARD SELECTION PANEL PURSUANT TO SECTION 58A OF THE COUNTY GOVERNMENTS ACT, 2012.

BACKGROUND AND ANALYSIS REPORT OF SELECTION PANEL NOMINEES

Introduction

Section 58A of the County Governments Act, 2012 provides for the nomination and appointment of members to a selection panel for the purpose of selecting suitable candidates for appointment to the County Public Service Board as outlined:

Procedure for nomination and appointment of members of the Board as provided in the County Government Act, 20112

58A. (1) Whenever a vacancy arises in a county public service board, the governor shall nominate and, with the approval of the county assembly, appoint members to a selection panel for the purpose of selecting suitable candidates for appointment as members of the county public service board.

(2) The selection panel under subsection (1) shall consist of the following persons—

- a) a chairperson, not being a public officer;*
- b) one person from the private sector;*
- c) an Advocate of the High Court of Kenya, who is a member of the Law Society of Kenya;*
- d) an accountant who is a member of the Institute of Certified Public Accountants of Kenya; and*
- e) one person from an association representing workers*

(3) The governor shall, in nominating members to the selection panel, ensure that not more than two-thirds of the nominees are of the same gender.

1. Background Information

The Bungoma County Public Service Board consisting of five members was constituted pursuant to Section 58 of the County Governments Act, 2012. Two of the members of the CPSB already exited office. The remaining members are expected to leave office by September 2025.

Pursuant to Section 58A of the County Governments Act, 2012, whenever a vacancy arises in a County Public Service Board, the Governor shall nominate and with approval of the County Assembly, appoint members to a selection panel for the purpose of selecting suitable candidates for appointment as members of the CPSB.

The Governor vide a letter dated 12th June, 2025 addressed to the Hon. Speaker submitted six (6) names as outlined to serve on the Selection Panel:

- | | |
|--------------------------|--|
| 1. Moses Narwenyi | Chairperson |
| 2. CS Elizabeth Wanyonyi | Representing the Private Sector |
| 3. Advocate Saul Wasilwa | Advocate of the High Court of Kenya, Member of LSK |
| 4. CPA Rita Nabalayo | Member of ICPAK |
| 5. Chemonges Stephen | Representing Worker's Association |
| 6. Julius Bakasa | Representing the Community |

Pursuant to Section 58A (2) of the same Act, the Selection panel shall consist of :

- a) a chairperson, not being a public officer;
- b) one person from the private sector;
- c) an Advocate of the High Court of Kenya, who is a member of the Law Society of Kenya;
- d) an accountant who is a member of the Institute of Certified Public Accountants of Kenya; and
- e) one person from an association representing workers.

Pursuant to Section 58A (3), the Governor shall in nominating members to the selection panel, ensure that not more than two-thirds of the nominees are of the same gender.

2. Compliance with the Law

In his nomination of the Selection Panel, the Governor complied with provisions of Section 58A (3), nominating two (2) persons of the female gender and four (4) persons of the male gender, thus observing a third gender rule.

However, he failed to comply with Section 58A (2) by nominating six (6) persons instead of five (5) as required by the provisions of the law.

3. Analysis of Selection Panel Nominees

3.1. Moses Narwenyi- Chairperson

Moses Wekesa Nyarweni is a Kenyan citizen born in 1951 in Tongaren Sub-County within Bungoma County. He is married, holds national identification number 0251571, and resides in Bungoma County.

Mr. Nyarweni is a retired police officer whose service from 1974 to 2006 saw him rise from police constable to head the Nyanza Provincial Criminal Investigations Department headquarters. In 1997, he also served as a director at the Kenya Bureau of Standards, demonstrating significant leadership and regulatory oversight experience.

Mr. Nyarweni is not a serving public officer, which directly satisfies the requirement under Section 58A(2)(a) of the County Governments (Amendment) Act, 2020, that the chairperson of the selection panel shall be "a chairperson, not being a public officer." This ensures that the selection process for the County Public Service Board is guided by an independent, experienced individual free from current public office obligations.

His long-standing career in public service, combined with his current retired status, offers a blend of institutional knowledge and impartiality. This positions him well to lead the selection panel in conducting a transparent and merit-based recruitment process. Additionally, his experience with governance and ethical enforcement during his tenure in police investigations and standards regulation underscores his capacity to uphold the principles of integrity and accountability envisioned by the Act.

*Mr. Nyarweni is therefore well qualified to serve as the **Chairperson of the Selection Panel**, in compliance with Section 58A(2)(a), to steer the nomination process for members of the County Public Service Board.*

3.2. CPA Manyonge Rita Nabalayo

Rita Nabalayo Manyonge is a Kenyan citizen, born on 3rd November 1979, and currently a resident of Bungoma County. She is married and holds national identification number 21729403. Professionally, Rita is a Certified Public Accountant (Kenya), registered with the Institute of Certified Public Accountants of Kenya (ICPAK) under membership number 19373, which affirms her compliance with statutory requirements and professional standards under the Public Finance Management framework.

She holds a Bachelor of Commerce degree with a Finance option, attained with Second Class Upper Division honours, which provides a solid foundation in financial management, planning, and accountability. Her work history includes fifteen years of progressive experience in finance and accounting within public educational institutions. From 2006 to 2021, she served diligently as a Finance Assistant at Bungoma High School, managing day-to-day financial operations and supporting statutory audits and compliance. Thereafter, from 2021 to 2022, she worked as a Finance Officer at Okame Technical and Vocational College, where she undertook broader responsibilities including budgeting, reporting, and internal controls.

Currently, Rita is engaged in private enterprise, operating an online business that deals in clothes and shoes. This demonstrates entrepreneurial initiative and an ability to adapt her financial insight to the dynamic private sector environment.

In line with the criteria stipulated under Section 58A(1) and (2), Rita's professional qualifications, experience in public financial administration, and membership in a recognized professional body meet the expected threshold for consideration for nomination.

3.3. Advocate Saul Simiyu Wasilwa

Advocate Saul Simiyu Wasilwa is a Kenyan citizen born in 1963 in Kanduyi Sub- County, Bungoma County. He is a married male with identification number 3852170, bringing decades of experience in both legal practice and corporate leadership to his professional endeavors.

Advocate Wasilwa holds a Bachelor of Laws degree obtained from the University of Nairobi in 1987. Following his graduation, he was admitted to the bar in 1988 and became a member of the Law Society of Kenya (LSK), establishing his credentials as a qualified legal practitioner. Beyond his legal qualifications, he has expanded his expertise into corporate governance, earning certification as a Certified Public Secretary with registration number R/CPSB/1785, which demonstrates his comprehensive understanding of corporate compliance and secretarial services.

Advocate Wasilwa's career growth showcases significant experience in corporate governance and executive leadership within Kenya's sugar industry. He served as Company Secretary at Nzoia Sugar Company from 2004 to 2008, where he gained experience in corporate compliance, board governance, and regulatory affairs. His performance in this role led to his promotion to Managing Director of the same company, a position he held from 2009 to 2015. During his tenure as Managing Director, he demonstrated strong leadership capabilities and strategic management skills in overseeing one of Kenya's major sugar manufacturing enterprises.

In March 2025, Advocate Wasilwa's professional standing received significant recognition when he was shortlisted among eleven candidates for the position of IEBC Chairperson, though he was ultimately not appointed to the role. This shortlisting demonstrates the high regard in which his professional qualifications and experience are held within Kenya's electoral and governance circles. However, during the IEBC vetting process, concerns emerged regarding evidence of meeting Continuing Professional Development (CPD) requirements for a 2025 operating certificate, suggesting he may not currently be in active legal practice, which raises questions about his current professional engagement in the legal field.

Regarding alignment with Section 58A(2) requirements, Advocate Wasilwa clearly meets the qualifications specified under Section 58A(2)(c) through his training and admission as an Advocate of the High Court of Kenya and his membership in the Law Society of Kenya. His legal credentials are well-established and recognized within the Kenyan legal framework. Additionally, he fulfills the expectations under Section 58A(2)(d) by possessing governance and compliance expertise that is expected of professional members, particularly through his qualification as a Certified Public Secretary, which provides him with specialized knowledge in corporate governance, regulatory compliance, and institutional management that would be valuable in various professional capacities.

3.4. Stephen Chemonges

Stephen Chepkuto Chemonges is a Kenyan citizen born on 18th August 1966 in Mt Elgon, Bungoma County. He is married, holds identification number 9682939, and resides in Bungoma County.

Mr. Chemonges is a trained teacher with a Certificate from Asumbi Teachers Training College. He served in the Education sector from 1994 to 2021, rising

from classroom teacher to head teacher in various schools. Since 2011, he has been the Executive Secretary of the KNUT Mt. Elgon Branch, advocating for teachers' welfare and engaging widely on education and labour matters.

His long-standing leadership in education and union management demonstrates relevant experience, integrity, and a sound grasp of public service issues, aligning with the requirements of Section 58A (1) and (2) of the County Governments (Amendment) Act No. 11 of 2020.

Mr. Chemonges is therefore deemed suitable for consideration by the selection panel for possible appointment to the County Public Service Board, subject to further vetting.

3.5. CS Elizabeth Wanyonyi

CS. Elizabeth Jane W. Wanyonyi is a Kenyan citizen born on 28th December 1956 in Kanduyi Sub County, Bungoma County. She is married and holds national identification number 3332790.

Her academic qualifications include two Master's degrees in Business Studies, specializing in Human Resource Development and Urban Environmental Management. She is also a registered member of the Institute of Certified Public Secretaries of Kenya, a professional body she joined in 2013.

Elizabeth Wanyonyi has held several significant leadership positions in public service. Between 2010 and 2013, she served as Deputy Director at the Kenya School of Government, Matuga, where she was responsible for training and capacity building. From 2013 to 2019, she served as the Secretary and Chief Executive Officer of the Bungoma County Public Service Board, where she played a pivotal role in human resource recruitment and public administration. In 2025, she was appointed as a member of the select committee on the recruitment of the Board of Directors of the Bungoma Water and Sanitation Company (BWASCO), further demonstrating her continued involvement in governance and selection processes.

Her strong background in governance, public administration, and human resource management positions her as a suitable nominee for the County Public Service Board Selection Panel.

In accordance with Section 58A(2) of the County Governments Act, 2012, she qualifies to serve on the panel owing to her extensive experience in public service recruitment and her professional affiliation. Additionally, her nomination contributes to achieving compliance with the gender requirements outlined under Section 58A(3) of the same Act.

3.6. Julius Bakasa Wasike

Julius Bakasa Wasike is a Kenyan citizen born in 1965 in Tongaren Sub-County, Bungoma County. He is married and holds National Identity Card number

7017110. He holds a Diploma in Public Administration and is currently pursuing a Bachelor's degree in Leadership Management.

Mr. Wasike brings a wealth of experience in public leadership and governance. He served as the Chairman of the Board of Directors for the Lake Victoria North Water Works Development Agency from 2020 to 2023. He also chaired the Bungoma County Disaster Management Committee between 2015 and 2017 and headed the County's Special Programmes Department from 2014 to 2017. Earlier in his career, he was a Councilor with the County Council of Bungoma, serving from 1997 to 2013.

In accordance with Section 58A(2) of the County Governments Act, 2012, Mr. Wasike is suitably qualified to serve as a member of the County Public Service Board Selection Panel. His extensive experience in public administration and governance meets the requirement for representation from the private sector or organizations engaged in public welfare. Furthermore, his appointment supports the achievement of diversity and gender balance as outlined under Section 58A(3) of the Act.

However, his role in the selection panel to represent "community interests, "is not recognized in law for the specific selection panel.