



THE COUNTY ASSEMBLY OF THARAKA NITHI

THIRD ASSEMBLY – (SECOND SESSION)

VOTES AND PROCEEDINGS

TUESDAY, FEBRUARY 28TH, 2023 AT 9.30 A.M

1. The House (County Assembly) assembled at thirty minutes past nine O'clock.
2. The proceedings were opened with prayer said by the Hon. Speaker.

3. MESSAGES

The speaker read the following message on behalf of H.E the Governor;

“INVITATION TO THE COUNTY HEADQUARTERS PRAYER DAY

The above subject matter refers.

I am pleased to invite you to the County Headquarters Prayers Day which will be held on Monday the 6th March 2023 at the County Headquarters. All guests are expected to be seated by 9 a.m.

Kindly extend the invitation to the Honorable Members, the Clerk and a maximum of 10 members of staff serving in the County Assembly. Your attendance will be highly appreciated.

Yours,

His Excellency Muthomi Njuki, EBS, Governor Tharaka Nithi County.”

4. STATEMENTS

The following statement was sought on the Floor of the House;

1. STATEMENT ON KIRUBIA STADIUM

(Hon. Kiriko Murimi Jacob, MCA_M.C.A. Mugwe Ward)

Statement sought from the Chair Youth, Sports and social Services

Duration of seven days requested by the chair to table the response.

5. PAPERS LAID

The following papers were laid on the Table of the House;

1. The Tharaka Nithi County Fiscal Strategy Paper for the Financial Year 2023/2024;
2. The Tharaka Nithi County Debt Management Strategy Paper, 2023;
3. The Public Finance Management (Tharaka Nithi County Executive Staff Mortgage and Car Loan Scheme Fund) Regulations 2022.

(Hon. S. Nderi Justin Kithinji- Leader of Majority Party)

6. NOTICES OF MOTION

The following notice of motions was issued:-

1. NOTICE OF MOTION ON THE PROPOSED CONSTRUCTION OF THE HIGH GRAND FALLS DAM IN KIBUKA DAM

(Hon. John Joseph Njeru, MCA_M.C.A. Igambang'ombe Ward)

AWARE THAT; the High Grand Falls Hydroelectric Power Station (popularly known as the High Grand Falls Dam) is one of the LAPSSET Corridor Projects under the Kenya Vision 2030 set to be located across Tana River to harness the energy of Kibuka Falls at the border of Kitui and Tharaka Nithi Counties;

FURTHER AWARE THAT; the project, conceptualized in 2009, was recently revived during the United Nations 27th Annual Conference of the Parties (COP 27) held in November 2022 in Egypt whereby the United Kingdom (U.K.) and

Kenyan Governments agreed that it will be one of the flagship projects under the UK- Kenya Strategic Partnership mainly targeting the agriculture and energy sectors, with the project set to officially commence in 2024 and is estimated to cost about Kshs. 425 billion.

NOTING THAT; Article 10 of the Constitution of Kenya, 2010 demands for participation of the people, human dignity, social justice, inclusiveness, protection of the marginalized, transparency and accountability;

FURTHER NOTING THAT; the project will involve relocation, resettlement and compensation of displaced households and this calls for public participation and informed consent on their part and adequate compensation;

RECOGNIZING THAT; feasibility studies were done in 2012 and at the time there was no land adjudication and the residents did not have title deeds, and thus monetary compensation per Hectare was extremely low which does not currently reflect the current market value of the land; Additionally, land adjudication has subsequently been commenced in some of the affected areas.

CONCERNED THAT; some of the residents to be affected by the project live in historically neglected areas and failure to consult and involve them will only further marginalize them leading to social exclusion;

FURTHER CONCERNED THAT; previous projects of similar nature have had negative consequences on affected citizens including misuse of compensation funds, leading to negative impact such as loss of livelihoods and diminished standards of living;

COGNIZANT THAT; there is general lack of information by the residents likely to be affected on what the project entails, relocation and compensation terms, timelines, among others, which can be attributed to lack of meaningful involvement in the project;

FURTHER COGNIZANT THAT; the project may not fully benefit Tharaka Nithi County through irrigation-based farming which is one of the main intended purpose of the project considering that water is pumped downstream;

RECOGNIZING THAT; road connectivity and accessibility is crucial in successful implementation of this mega project;

FURTHER RECOGNIZING THAT; Article 189 of the Constitution and Section 5 of the Intergovernmental Relations Act call for consultation and cooperation between the National and County Governments;

NOW THEREFORE THIS HOUSE RESOLVES THAT:

The County Executive through the County Executive Committee Member in charge of Lands, Physical Planning, Roads, Infrastructure, Public works urban development, Housing and Revenue mobilization should engage with and consult the National Government and its relevant Ministries or Agencies and other stakeholders to ensure that:

- i. Public participation is conducted by the implementers to ensure that there is:
 - a) Sensitization of the public on the importance of the project which will play a key role in ownership and informed consent as far as the project is concerned;
 - b) Involvement of citizens in development planning;
- ii. Expeditious land adjudication and title deed issuance is undertaken in areas where this was not done as it will be crucial for compensation purposes;
- iii. Detailed information on the project is made public in furtherance of the constitutional right to information, including on the number of households to be affected, areas to be affected, terms and conditions of

- relocation/resettlement and compensation of the affected locals, amongst others;
- iv. New feasibility studies and impact assessment are undertaken examining all aspects of the project including environmental, economic, financial and legal impact amongst others, both the negative and positive;
 - v. The grading, rehabilitation or tarmacking of the roads leading to Kibuka is expedited before commencement of the project to ensure good road accessibility and connectivity for ease of transportation;
 - vi. Ensure that Tharaka Nithi County gets priority in the arising job opportunities, Corporate Social Responsibility activities and socio-economic development;
 - vii. The Members of the County Assembly of Tharaka Nithi, local leaders and other stakeholders are fully involved in the project's decision-making process so as to ensure that citizens are fully consulted.

2. **NOTICE - DIAGNOSTIC AND TREATMENT OF EPILEPSY IN HEALTH CENTRES WITHIN THARAKA NITHI COUNTY**

(Hon. Mbae Anita Karimi,-M.C.A. Mariani Ward)

THAT AWARE, that epilepsy is a neurological condition or disorder in which nerve cell activity in the brain is disturbed, causing unprovoked, recurrent seizures. Epilepsy may occur as a result of genetic disorder or an acquired brain injury, such as trauma or stroke

Epilepsy is a chronic non-communicable disease of the brain that affects around fifty million people worldwide with nearly 80% of the people with epilepsy living in low and middle-income countries according to a report by the World Health Organization.

DEEPLY CONCERNED, that unlike other brain related conditions medications can successfully treat many cases of epilepsy many people with epilepsy continue to lose their lives each year due to lack of awareness of the disease, inability to afford management of the condition and expensive medication;

NOTING THAT, a person living with epilepsy can live longer and lead comfortable life if they receive the right medical care and support to help them manage the disease;

FURTHER NOTING THAT, there remains inadequate funding for the implementation of effective strategy for detection and management of epilepsy thus hindering Kenya achievement of the sustainable development Goal 3 and Vision 2030;

RECOGNIZING the importance of early diagnosis of epilepsy, aiding treatment, monitoring treatment progress, monitoring recovery and preventing life threatening and expensive complications resulting from epilepsy;

NOW THEREFORE, the County Assembly of Tharaka Nithi urges The County Government of Tharaka Nithi through the CECM in charge of Health to:

- i. Conduct refresher courses for the Community health workers on identification of early symptoms of epilepsy for early detection and management.
- ii. Conduct civic education and awareness among the residents of the County as most people do not seek medical treatment due to the belief that epilepsy is caused by possession of supernatural powers and sorcery resulting to stigma and discrimination of the patients.
- iii. Put in place measures to ensure the epilepsy treatment drugs are easily available in the health centres and dispensaries and are given immediately on diagnostic to control and improve the quality of life of the affected.

- iv. Collect data on the epileptic cases within the County so as to establish how many cases are served by each of the health centres and dispensaries for ease of planning and ensuring fulltime and adequate availability of epileptic drugs as and when needed.

3. MOTION - THE PROPOSED CONSTRUCTION OF THE HIGH GRAND FALLS DAM IN KIBUKA DAM

(Hon. John Joseph Njeru, MCA_M.C.A. Igambang'ombe Ward)

Order Read;

Motion made and Question proposed;

Question put and **agreed to.**

RESOLVED ACCORDINGLY

NOW THEREFORE THIS HOUSE RESOLVES THAT:

The County Executive through the County Executive Committee Member in charge of Lands, Physical Planning, Roads, Infrastructure, Public works urban development, Housing and Revenue mobilization should engage with and consult the National Government and its relevant Ministries or Agencies and other stakeholders to ensure that:

- i. Public participation is conducted by the implementers to ensure that there is:
 - a. Sensitization of the public on the importance of the project which will play a key role in ownership and informed consent as far as the project is concerned;
 - b. Involvement of citizens in development planning;
- ii. Expeditious land adjudication and title deed issuance is undertaken in areas where this was not done as it will be crucial for compensation purposes;

- iii. Detailed information on the project is made public in furtherance of the constitutional right to information, including on the number of households to be affected, areas to be affected, terms and conditions of relocation/resettlement and compensation of the affected locals, amongst others;
- iv. New feasibility studies and impact assessment are undertaken examining all aspects of the project including environmental, economic, financial and legal impact amongst others, both the negative and positive;
- v. The grading, rehabilitation or tarmacking of the roads leading to Kibuka is expedited before commencement of the project to ensure good road accessibility and connectivity for ease of transportation;
- vi. Ensure that Tharaka Nithi County gets priority in the arising job opportunities, Corporate Social Responsibility activities and socio-economic development;
- vii. The Members of the County Assembly of Tharaka Nithi, local leaders and other stakeholders are fully involved in the project's decision-making process so as to ensure that citizens are fully consulted

4. **MOTION – DIAGNOSTIC AND TREATMENT OF EPILEPSY IN HEALTH CENTRES WITHIN THARAKA NITHI COUNTY**

(Hon. Mbae Anita Karimi, MCA_M.C.A. Mariani Ward)

Order Read;

Motion made and Question proposed;

Question put and **agreed to.**

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- iv. Collect data on the epileptic cases within the County so as to establish how many cases are served by each of the health centres and dispensaries for ease of planning and ensuring fulltime and adequate availability of epileptic drugs as and when needed.

7. COUNTY ASSEMBLY ROSE - at thirty minutes past twelve O'clock.

MEMORANDUM

The Speaker will take the Chair on

Wednesday, March 1st, 2023 at 9.30 a.m.