

COUNTY SPLASH

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There was drama at the County Assembly of Kakamega during the impeachment proceedings against the Kakamega County Public Service Board (CPSB) board members. This is after the petitioner seeking to kick out the board from office found himself on the defensive when he failed to table evidence to sustain his claims. Dennis Muhanda found himself between a hard place and.... **PG 6**



Kakamega County crowned champions in National Music and Cultural Festivals for the 10th time. **PG 7**

IMPEACHMENT : Who will laugh last?



The spirited efforts to remove Kakamega County Public Service Board (CPSB) members from office now await the verdict of County Assembly Public Service and Administration Committee on Wednesday when they will present their report to the assembly. The petition was filed by Dennis Muhanda who anchored it on the sacking of the board's CEO Catherine Gathoni...[see pages 2 to 6](#)



IMPEACHMENT : Who will laugh last?



Catherine Omweno (second left) while testifying against a petition filed at the County Assembly of Kakamega seeking to remove her from office and her board members

By Aggrey Barasa and Maureen Maumo, Kakamega

Acts of commission and omission by former Kakamega Governor Wycliffe Oparanya to dismiss Catherine Gathoni as the Secretary and Chief Executive Officer (CEO) of the County Public Service Board (CPSB) is what has returned to haunt the board members.

For political strategists, it's Oparanya's decision that has kept the county executive in ceaseless covert machinations to remove the entire board members in order to settle 'political scores'.

Their jobs now hang in the balance awaiting the decision by the County Assembly Public Service and Administration Committee under the chairmanship of Marama South Ward Rep Willis Opuka to recommend either for their removal from office or maintain the status quo.

The petition was lodged at the assembly by Dennis Muhanda, Kakamega UDA chairman Kakamega seeking their removal from office based on Mr Oparanya's decision. The board members include Catherine Omweno (chairperson), Ambrose Subayi (vice-chairperson), Joel Omukoko, Dr Ralph Wangatiah, Stanley Were and Sylvia Otunga.

The former Butere MP sent her (Gathoni) packing after it was established that she was still an employee of the County Government of Nakuru where she worked as an accountant and simultaneously working as the chief executive officer of the board.

"You (Gathoni) were appointed to the post of secretary of the service board with effect from July 15, 2020, on a six-year non-renewable contract," Oparanya states in his letter to the board CEO dated October 19, 2021.

Oparanya's letter reads: "In the course of your engagement, it came to our attention that you were still on the payroll of Nakuru County, until May 2021, when you ought to have delinked from them immediately after you took up the appointment with Kakamega County Public Service Board."

The ex-governor informed Gathoni that he was in receipt of a letter from the Chairman of Nakuru County Public Service Board dated July 7, 2021 that she had been released on secondment to Kakamega for a period of three years.



Marama South MCA Willis Opuka and Chair of Public Service Committee

"The letter from Nakuru County fundamentally varies the terms of your contract and it's not acceptable," Oparanya noted, adding that Gathoni also had a strained working relationship with board members that affected service delivery.

"For these reasons, your contract is hereby terminated and you are released to return to Nakuru with immediate effect," Oparanya informed Gathoni

Feeling shortchanged, Gathoni appealed Oparanya's decision to sack her to the Public Service Commission (PSC) that reversed the decision to terminate her employment by the former governor.



Nominated MCA Sylvia Muteshi and Vice Chairperson of the Public Service Committee at Kakamega County Assembly

Remmy Mulati, the Deputy Commission Secretary (PSC) in his letter dated on September 7, 2022 stated that 'the decision by the County Government of Kakamega to terminate her employment was illegal and ordered for her reinstatement.

Governor Fernandes Barasa would later have Ms Gathoni reinstated as per the directive by PSC in a letter dated November 4, 2022.

"In line with the decision of the Public Service Commission (PSC) delivered on September 7, 2022, in an application for review of your dismissal, the Kakamega County Public Service Board has reinstated (you) and the termination letter dated October 19, 2021, is hereby vacated," Governor Barasa's letter reads in part

"By a copy of this letter, you are advised to resume your duties not later than November 11, 2022."



Isongo-Malaha-Makunga ward MCA Walunya Indimuli and member of Public Service Committee

Based on Oparanya's decision to sack Gathoni and upon her resumption of office, the board members were thrown under the bus after a third petition was filed on October 12, this year at the county assembly whose hearing has since been concluded.

Mr Oparanya's name was expunged from the petition after amendments were made to it before it was presented to the assembly.

Other charges leveled against the board members were serious violation of the constitution, violation of chapter 6 of the constitution, breach of statute law, abuse of office, gross misconduct, conflict of interest and incompetence

Even though the said Catherine Gathoni was called to supposedly clear her name over what the committee termed as emerging two issues, efforts by the respondents to cross examine her on the alleged two issues were frustrated by the Committee for no clear reason..

The petitioner also accused the board of employing people with questionable academic qualifications and hiring 400 revenue clerks and 74 revenue officers without the approval of the cabinet.

"That the members, without any colour of right, legal basis, power and jurisdiction, jointly conspired to and purported to dismiss one, Catherine Gathoni Otenyo from office as a member of the Kakamega County Public Service Board," reads the petition in part.

"They (board members) jointly conspired and purported to exercise



Kakamega County Assembly Committee on Public Service and County Administration members under the chairmanship of Maramba South MCA Willis Opuka during the hearing of the petition to remove members of County Public Service Board - Photo/CAK

a power which they did not have by purporting to exercise disciplinary power over a fellow member, the power which was not conferred on them, and are therefore unfit and unsuitable to continue serving in office to hold any public office,” the letter further states.

The petitioner in his petition stated they (board) displayed incompetence by firing 47 revenue clerks illegally who were later reinstated by the Public Service Board after appeals that cost the county government fund that would have otherwise been avoided.

The petitioner said that the board members, unlawfully, illegally and without any legal basis authorised and approved and paid out public funds to third parties including to themselves contrary to provisions of Public Finance Management Act by purporting to perform the functions of a public officer without approval of the County Assembly of Kakamega as required by law.

The petition says that the board employed six persons with dubious academic papers and failed to commence disciplinary proceedings against the said persons thereby abdicating their duties and roles in violation of section 59(1)(c) of the County Governments Act, 2012.

It said the chairperson (Catherine Omweno) usurped the role of the CEO (Gathoni) of the board and purported to make communications on behalf of the board without such authority.

The petition comes six months after two other petitioners petitioned the county assembly seeking impeachment of the board on almost similar grounds in February.

Edwin Shivakale and Alex Shikanga would later withdraw their petitions unconditionally in unclear circumstances.



Marvin Odero (left), petitioner's lawyer cross examining Dennis Muhanda while he is testifying before the committee - Photo/CAK



Ambrose Subayi (seated with mic), the vice chair of Kakamega County Public Service Board (CPSB) testifying in a petition seeking to remove them from office. The petition was filed by Dennis Muhanda - Photo/Isaac Mutiso/County Splash



Catherine Omweno (CPSB) chair taking oath before testifying against a case seeking to remove her from office and the board members - Photo/Isaac Mutiso/County Splash



Catherine Gathoni, Secretary and CEO of the board. The petition to remove CPSB is anchored on sacking by former Kakamega Governor Wycliffe Oparanya

Resumes of Kakamega County Public

Catherine Omweno – Chairperson

She holds a Master's degree in Business Administration from Moi University and a Bachelor of Arts degree from Punjab University, India. She is a CPS (K) Finalist and a member of the Institute of Certified Public Secretaries. She is also a certified professional trainer and a career coach with a passion for people issues. In addition, she is a member of the Institute of Human Resources Management.

She has wealth of experience and competency in Human Capital Management and leadership with exposure in both the Public and Private sectors. Specifically, her career started as a Personnel Officer II in the Civil Service, rising to the level of Chief Personnel Officer. She has worked at Jomo Kenyatta Foundation as the Chief Administrative Officer; she has also worked for Care International as the Personnel Administrative Manager then served as a Group Human Resource Manager for CMC Motor Groups.

Her core competencies are in Organization Development, Performance Management, and Strategic Human Resource Management among others.

Ambrose Subayi – Vice Chairperson

For fifteen years, he worked for the United Nations Peacekeeping Operations in several Countries including East Timor, Liberia, Darfur, Kosovo, Democratic Republic of Congo and Mali. He rose from the rank of Finance Officer through Chief Finance Officer, Chief of Administrative Services to Deputy Director of Mission Support overseeing major functions including Finance, Human Resource, Procurement, Supply Chain, Information Technology, Training and Medical.

He Chaired mission committees that provided oversight functions for procurement (Local Committee on Contracts) and assets disposal (Local Property and survey Board). At the missions, he also led the teams that were tasked with rollout of the International Public Sector Accounting Standards (IPSAS) and new UN- IT system called UMOJA (an Enterprise Resource Planning System – ERP operating on SAP platform). He was a member of the United Nations Field



Catherine Omweno
Chairperson

Review Committee that was tasked with the recruitment of UN peacekeeping staff, for all peacekeeping missions.

Before joining the United Nations, he worked for the East African Portland Cement Company Limited as the Financial Controller and later as a Business Development Manager.

He holds a Master of Business Administration degree from the University of Strathclyde (full time) in Glasgow, Scotland, United Kingdom.

He is qualified as a Certified Public Accountant from Strathmore College (now Strathmore University). He is a member of the Institute of Certified Public Accountants of Kenya – ICPAK.

He has attended United Nations Senior Leadership Course in New York and United Nations Senior Mission Leadership Course in Buridisi, Italy.

CPA Subayi is thus well entrenched in Public Sector Financial Management Systems, Human Resource and Administrative Procedures and Processes.

DR. WANGATIAH I. RALPH

Dr. Wangatiah holds a Doctor of philosophy Degree in Linguistics from Maseno University with specialization in Pragmatics and Human Communication. He also holds a Master of Arts Degree in Linguistics from Maseno University and a Bachelor of Education Degree from Moi University. He is a Member of the Association of English Language Educators and Researchers (ASSELER) and a



Ambrose Subayi
Vice Chairperson

member of the English Panel Curriculum Review at the Kenya Institute of Curriculum Development.

At the time of his appointment as Member of the County Public Service Board, he was a Lecturer of Linguistics and Communication studies and also in-charge of Mumias campus where he coordinated both academic and administrative functions on behalf of the University Management Board of Masinde Muliro University of Science and Technology.

As a member of the University management Team, he attended several training programs in the areas of Performance Management, Information Protection and Security, Employee relations and Information Communication Technology. As a teacher educator, Dr. Wangatiah has taught at Pwani University, Kibabii Diploma



DR. WANGATIAH I. RALPH

Teachers training College and Kaimosi Teachers Training College.

In the area of theatre arts, he is a national facilitator, trainer and director being an active member of the Kenya National Drama and Film Festivals and the Kenya Music Festivals.

MR JOEL OMUKOKO ANYERA

Mr Joel Omukoko Anyera is currently pursuing a Master Degree in Business Administration in Strategic Management at Kenyatta University. He holds Master of Arts in Planning from University of Nairobi and a Bachelors of Arts (Planning) from Egerton University, National Diploma in Business Management from Kenya Institute of Management. He is a registered and licensed physical planner with the physical planners Registration Board (PPRB), Elected Corpo

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Service Board (CPSB) members



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MR STANELY WERE



MRS SILVIA OTUNGA

Employee Relations, Human Resources Management system, manpower planning, Recruitment and selection Compensation and benefits Talent/ career management, occupations, safety and health, Strategic Management and well versed with Kenyan Labour laws spanning over fourteen years. Currently she's pursuing a PhD in Strategic Management at Kenya Methodist University, MBA in Strategic Management from University of Nairobi and a Bachelors of Business Management (Human Resource Management) from Moi University. She is Certified Human Resource Practitioner, full member of Institute of Human Resource Management (IHRM) and Kenya Institute of management (KIM)

She has also attended courses in Balance Score Card, Employee Relations, Labour Laws, Occupational safety and health, strategic human resource management, Communication and customer services. She has previously worked with Kenya Commercial Bank, Nairobi City Water and Sewerage Company, Kenya Methodist University, Delmonte Limited (K) and Nairobi Club.

Source of information : kakamega.go.ke

rate Member of the Kenya Institute of Planners (KIP).

He has also attended courses in senior management, Performance management, Environmental Impact Assessment and Audit, Project planning and management, Finance for non-finance Managers, Communication skills Development for District physical planning officer and Environmental planning.

He has previously worked as District Physical Planner in more than five districts and risen to Provincial Coordinator of Physical Planning. He has also worked as a part time lecturer in the school of Spatial Planning and Architecture at the Maseno University. At the time of his appointment as Member of the County Public Service Board, He was the deputy principal academics and Research Affairs at the Royal International College.

He holds a B.Sc.Mechanical Engineering (Hons) from Nairobi University and Post graduate trainings in Management and Strategy Development. He is an energy consultant (Oil and Gas) ; and previously he worked for Galana Oil Kenya as the General Manager for International Sales, Mogas Group as the Chief Operating Officer, MGS International (K) Limited as the Managing Director, Petro Oil-Kenya as the Director of Regional Exports (East , Central and Southern Africa) and Country Manager - Rwanda ; Total Kenya Limited as the Specialities Manager, Caltex Oil (K) as the Lubricants Sales and Technical Services Manager prior to which he was the Product Engineer.

He started his career at Mumias Sugar Company Limited leaving as a shift engineer in 1987.

He previously served on various East African boards including the Kenya Bureau of Standards as Chairman of the committee on standards for three years, corporate member East African standards council and most recently as Chair Technical and Operations committee of MGS International Group.

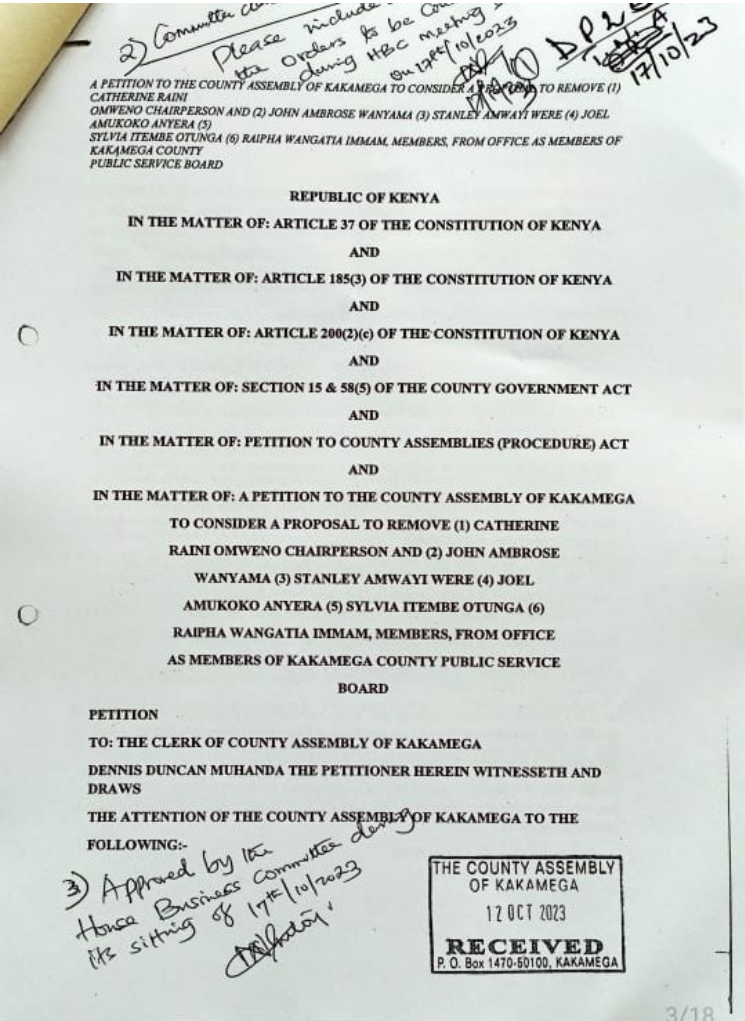
MR STANELY WERE

He holds a B.Sc.Mechanical Engineering (Hons) from Nairobi University and Post graduate trainings in Management and Strategy Development, Quality Management Systems (KEBS Nairobi/ISO), Team Building & Strategy, He is also a postgraduate member of the Executive development programme-Witts University SA, and Corporate Governance Training- the Institute of Directors. He is an energy consultant (Oil and Gas) ; and previously he worked for Galana Oil Kenya as the General Manager for International Sales, Mogas Group as the Chief Operating Officer, MGS International (K) Limited as the Managing Director, Petro Oil-Kenya as the Director of Regional Exports (East , Central and Southern Africa) and Country Manager - Rwanda ; Total Kenya Limited as the Specialities Manager, Caltex Oil (K) as the Lubricants Sales and Technical Services Manager prior to which he was the Product Engineer. He started his career at Mumias Sugar Company Limited leaving as a shift engineer in 1987.

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MRS SILVIA OTUNGA

A seasoned manager with hands-on experience in Policy Formation



Part of the petition seeking to remove from office members of Kakamega County Public Service Board (CPSB)

Petitioner hard pressed to prove claims on removal of Kakamega board

By Isaac Mutiso, Kakamega

There was drama at the County Assembly of Kakamega during the impeachment proceedings against the Kakamega County Public Service Board (CPSB) board members.

This is after the petitioner seeking to kick out the board from office found himself on the defensive when he failed to table evidence to sustain his claims.

Dennis Muhanda found himself between a hard place and a rock when he was challenged by the board's lawyer Calistus Shifwoka to produce evidence to support his petition to send home the entire board.

Shifwoka asked the petitioner to produce evidence to show that the board engaged in nepotism, abuse of office and employment of relatives which he cited in his petition that seeks to kick the six out of office.

"Do you have any evidence to show that there's nepotism? Shifwoka asked to which Muhanda answered no

"Do you have any proof to show the board employed their relatives? In his response he answered no

"Do you have any evidence to show they unprocedurally sacked Catherine Gathoni as the secretary and chief executive officer of the board? The petitioner answered no

The board is also battling claims of serious violation of the Constitution, violation of Chapter 6 of the Constitution, breach of statute law, and incompetence.

The board is also accused of employing people with questionable academic qualifications and hiring 400 revenue clerks and 74 revenue officers without the approval of the cabinet.

The board members include Catherine Omweno (chairperson), Ambrose Subayi (vice-chairperson), Joel Omukoko, Dr Ralph Wangatiah, Stanley Were, and Sylvia Otunga



Lawyer Calistus Shifwoka (right) cross examining Dennis Muhanda who wants Kakamega board kicked out of office -Photo/Isaac Mutiso/County Splash

The County Assembly Public Service and Administration Committee under the chairmanship of Marama South Ward Rep Willis Opuka is conducting the impeachment proceedings.

"In your affidavit, you claimed that the board conspired to dismiss one its chief executive officer (Catherine Gathoni) purported to exercise a power which they did not have," said Mr Shifwoka

He went on: "Is there any show cause letter, suspension or termination letter of her employment authored by the board, or any evidence of withholding of her salary?"

Mr Muhanda said 'I do not have the letter or evidence showing it's the board who sacked her', adding 'I don't know who sacked board's CEO'

"There's an appeal (complaint) letter from the board as part of your exhibit, telling PSC that 'decision to sack Gathoni's did not originate from the board. How does the decision of another person be 'imposed on the board?' Shifwoka asked the petitioner

Muhanda said that 'another person's decision cannot be used to incriminate the board' saying that he 'only knows' that it's Former Kakamega Governor Wycliffe Oparanya who appointed Gathoni as the secretary and CEO of the board July 15, 2020.

Mr Oparanya dismissed Ms Gathoni after discovering that she was still employed as 'an accountant and on the payroll' of Nakuru County while simultaneously serving as the CEO of the board.

"For these reasons, your contract is hereby terminated and you are released to return to Nakuru with immediate effect," Oparanya termination letter states in part

Gathoni appealed at the Public Service Commission (PSC), which overturned Oparanya's decision to terminate her employment.

The petitioner was also put to task to prove that the board's chairperson (Catherine Omweno) abused her office by using government vehicle to run her own personal errands.

"Do you have a report or complaint or summons from a check unit police anywhere in the country bringing the use of the car in question? Has the chairperson and her driver been arrested for use of a government vehicle without the authority of the county transport officer? Shifwoka asked

He went on: "Has the county government raised audit queries over its use and that the chairperson has exceeded its mileage limitation for use of the vehicle?"



Dennis Muhanda taking oath before the County Assembly Committee of Public Service and County Administration - Photo/CAK

Mr Muhanda responded by saying 'to the best of my knowledge, I don't have any evidence to support my claim'

He was further challenged to explain how the move by the board to introduce 'Rose Onyango Omondi' as the board's bank account signatory was an illegality.

At the time, she was the acting CEO of the board and therefore its accounting officer by virtue of her position.

"The purported to appoint one Rose Onyango Omondi to the position of CEO and made her a signatory to the bank accounts of the board," the petitioner's affidavit reads in part

'Would you know who appointed her as CEO', the petitioner responded by saying 'it's the governor and her appointment was to fill a vacuum that was there.

Shifwoka asked the petitioner, 'When you introduce someone to another person or to a bank manager to be a signatory, is that an appointment or an introduction, "Mr Muhanda responded by saying 'it's an appointment'

The petitioner also failed to substantiate the claim that the board sacked employees of the county government without a fair trial.

This is after the board demonstrated that it's the chief officer in charge of public service docket who made the sackings and that only appeals were brought to the board after the affected employees applied for review at the public service commission.

The petitioner has also accused the board of employing people with questionable academic qualifications and hiring 400 revenue clerks and 74 revenue officers without the approval of the cabinet.

At least five employees in the office of the Governor Fernandes Barasa were found to be having 'fake academic papers' after the board made verification from institutions they purported to have attended and wrote to the chief officer (public service) for disciplinary action to be taken.

'Do you know that disciplinary action is a delegated function of the chief officer and not the board' Shifwoka asked Mr Muhanda who responded by saying 'I don't understand, that's a criminal offence and they should be taken to the Directorate of Criminal Investigations.

"If there was no due diligence, the chair should have taken action. Before appointment, she would have taken background check," argued Muhanda but when asked on the process of verification by the Kenya National Exams Council (KNEC), he said 'if you know enlighten me because I don't know'

On employing relatives, he failed to substantiate the claims.

When asked to give evidence of Stanley Were who he claimed to have demanded a bribe before from an applicant of a chief officer position and that he (Were) got arrested, he didn't have any evidence including an Occurrence Book (OB) number and receipts to show payment of Sh10,000 as cash bail.

"Do you an OB of where the case lodged on bribery. Any evidence of him being summoned to any police station," asked Shifwoka

Muhanda told him 'I am just aware the matter is under investigation but don't have any evidence on sustain my claim'

The petitioner would then tell the committee to send the board home and his case against them was 'water tight'

Kakamega County crowned champions in National Music and Cultural Festivals for the 10th time



Mophat Mandela- Kakamega County Sports Minister addressing the press after receiving the team back from Makueni- Photo(GPU)



Display of trophies at the County Headquarters-Photo/GPU

By GPU

Ten time National Music and Cultural Festivals champions Kakamega County was received to a heroic welcome by County Government Officers after a stellar performance in Makueni County. They were received by Kakamega County Executive Committee Member (CECM) for Social Services, Sports, Youth, Gender and Culture Mr Mophat Mandela after triumphing in the festival's 96th edition. The County representatives clinched the overall title during the festivals making Kakamega champions for ten consecutive years. Mr Mandela congratulated the 150 participants who represented the County in the fiesta for the achievement and commended them for being disciplined during their ten day stay in Makueni. He was flanked by the Chief Officer for Social Services, Gender and Culture Ms Leah Khasandi and the Director Culture Ms Gaudencia Otipa. Kakamega's march to victory saw them register 268 entries in this year's edition and despite presenting fewer participants compared to previous years, the Green Jewels shook off stiff competition from Uasin Gishu (357) and County zero zero one, Mombasa (109), to emerge winners with 441 points. Mr Mandela mentioned the preliminaries that were conducted by the Ministry in the Sub-Counties culminating in the County Gala where the best performers were selected to



Procession in Kakamega town (Photo(GPU))

represent Kakamega as the cause of the outstanding results in Makueni County this year. The CECM further explained that proper preparations where the participants were vetted and scrutinized from the Sub-County level led to the positive results registered by Kakamega County during the Fests; winning a total of 33 trophies, 10 more than last year's.



Jubilations at Kakamega County headquarters after the arrival of the team from Makueni - Photo(GPU)