

RESOLUTION NO. 25-142

RESOLUTION OF THE MENDOCINO COUNTY BOARD OF SUPERVISORS AUTHORIZING THE DESTRUCTION OF CERTAIN DUPLICATE RECORDS IN THE EXECUTIVE OFFICE, HEALTH BENEFITS DIVISION

WHEREAS the Employee Retirement Income Security Act of 1974 (ERISA) establishes specific requirements for the retention of records related to health and welfare benefit plans; and

WHEREAS Section 107 of ERISA requires that records related to agency filings and participant or beneficiary disclosures be retained and made available for examination for at least six (6) years from the date of filing; and

WHEREAS Section 209 of ERISA mandates that employers maintain sufficient records to determine the benefits due, or which may become due, to each employee; and

WHEREAS, the U.S. Department of Labor, requires that employee benefit records—such as enrollment forms, beneficiary designations, and employment information—be retained indefinitely, or for as long as they remain relevant to determining benefit entitlements; and

WHEREAS California Government Code Sections 60201 and 26205.1 authorizes the county officer, having custody of nonjudicial public records, that are not expressly required by law to be preserved, to destroy or dispose of any or all of the documents, instruments, books, and papers upon proper authorization by the board of supervisors; and

WHEREAS, California Government Code Section 25105 provides authority for the board of supervisors to authorize the use of photographs, microphotographs, electronic data processing records, optical disks, or any other medium that is a trusted system and that does not permit additions, deletions, or changes to the original document; and

WHEREAS, pursuant to this authority, the Executive Office commenced a scanning project to digitize and retain all health benefit files into the DocuWare system; and

WHEREAS, the Executive Office, Health Benefits Division, is responsible for maintaining these records and, in compliance with applicable retention requirements, has converted the categories of physical records identified within “Exhibit A” to digital format; and

WHEREAS, the Division seeks authorization to securely destroy the original physical documents that have been successfully digitized and preserved in accordance with legal and regulatory standards; and

WHEREAS, the digitizing of employee benefit records is ongoing, the authorization to destroy duplicate, physical records identified within “Exhibit A”, will necessarily extend to documentation of current and future employee benefit files as they become digitized and retained in electronic format; and

WHEREAS, authority by the Executive Office to continue to destroy duplicative files as they become electronically saved and stored into the future will continue to promote efficient use of County resources, reduce the need for physical storage and assist in creating a searchable database, while retaining information which may be relevant to determining benefit entitlements, which is consistent with sound records management practices; and

NOW, THEREFORE, BE IT RESOLVED that the Mendocino County Board of Supervisors hereby authorizes the Executive Office, Health Benefits Division, or designee, to securely destroy physical records related to employee benefits, that have been accurately and completely converted to digital format, in accordance with ERISA requirements, applicable federal and state regulations, and the organization's records retention policies.

The foregoing Resolution introduced by Supervisor Williams, seconded by Supervisor Mulheren, and carried this 9th day of September 2025, by the following vote:

AYES: Supervisors Mulheren, Haschak, Norvell, and Williams
NOES: None
ABSENT: Supervisor Cline

WHEREUPON, the Chair declared said Resolution adopted and SO ORDERED.

ATTEST: DARCIE ANTLE
Clerk of the Board

JOHN HASCHAK, Chair
Mendocino County Board of Supervisors

Deputy

I hereby certify that according to the provisions of Government Code Section 25103, delivery of this document has been made.

APPROVED AS TO FORM:
CHARLOTTE E. SCOTT
County Counsel

BY: DARCIE ANTLE
Clerk of the Board

Deputy