

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


Deputy

APPROVED AS TO FORM:
CHARLOTTE E. SCOTT
County Counsel




JOHN HASCHAK, Chair
Mendocino County Board of Supervisors

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

BY: DARCIE ANTLE
Clerk of the Board


Deputy

EXHIBIT A

The following categories of documents, with dates ranging from each employee's first day of employment through December 31, 2024, comprise the digitizing and destruction authorized pursuant to this Resolution:

- Employee health plan paper enrollment forms;
- Employee enrollment summaries from online website benefit portals Benefit Bridge (2020-2022) and BenXcel (2023 to current);
- Employee information sheet containing demographic and vital statistics;
- Staff checklist of processes completed;
- Salary Redirection Agreement ;
- Flexible Spending Enrollment form;
- Verifications of other group coverage;
- Birth verifications – from hospital and/or certified birth certificates, for all dependents;
- Adoption verification;
- Marriage verification from wedding officiant or certified marriage license;
- Copies of legal/court Name change documents;
- Copies of Certified Registered Domestic Partnership;
- Dissolution of Marriage verification;
- Copies of SS cards ;
- Life and AD&D insurance paper enrollment forms;
- Life and AD&D insurance approval and denials, including approval or denial of EOI (Evidence of Insurability);
- Life insurance health questionnaires;
- Life insurance claim forms;
- Child support questionnaires and medical support orders; (inclusive of wage verification provided by payroll);
- Notice of dependent added to plan per medical support order;
- Social Security form CMS L564/R297, Request for Employment Information;
- Creditable Coverage letter (County format);
- File Notes;
- Leave Approval notices (FMLA, CFRA, PDL, ADA and Lwop);
- Premium due notices (15-day, 30- day and termination notices);
- Health insurance premium verification generated from Munis;
- Copies of email, instant message and written communication with employee, regarding their health benefits.