

Bond Case Briefs

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Citizens for a Better Flathead v. Board of County Commissioners of Flathead County

Supreme Court of Montana - October 11, 2016 - P.3d - 2016 WL 5900204 - 2016 MT 256

Citizens group brought action against county and county planning board, alleging that the adoption of a revised growth policy violated state statutes, the state constitution, and the county's own procedures.

The District Court granted county and board's motion to strike group's expert report and county's motion for summary judgment. Group appealed.

The Supreme Court of Montana held that:

- Expert report impermissibly offered legal conclusions;
- Revisions to growth policy complied with procedural requirements
- Board's actions could not be invalidated for alleged violations of open meetings laws;
- County did not violate open meeting laws;
- Group was not deprived of meaningful participation guaranteed by state constitution;
- County and board adequately considered and incorporated public comments; and
- Policy could not trump citizens' constitutional rights.