

Order

Michigan Supreme Court
Lansing, Michigan

September 22, 2017

Stephen J. Markman,
Chief Justice

154556-7

Brian K. Zahra
Bridget M. McCormack
David F. Viviano
Richard H. Bernstein
Joan L. Larsen
Kurtis T. Wilder,
Justices

COLOMA CHARTER TOWNSHIP,
Plaintiff/Counterdefendant-
Appellee,

v

SC: 154556
COA: 325226
Berrien CC: 13-000317-CZ

BERRIEN COUNTY and BERRIEN COUNTY
SHERIFF'S DEPARTMENT,
Defendants/Counterplaintiffs-
Appellants,

and

LANDFILL MANAGEMENT COMPANY, INC.,
and HENNESSY LAND COMPANY,
Defendants-Appellants.

JOE HERMAN, SUE HERMAN, JAY JOLLAY,
SARAH JOLLAY, JERRY JOLLAY, NEAL
KREITNER, TONY PETERSON, LIZ
PETERSON, RANDY BJORGE, ANNETTE
BJORGE, and TINA BUCK,
Plaintiffs-Appellees,

v

SC: 154557
COA: 325335
Berrien CC: 05-003247-CZ

BERRIEN COUNTY,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the September 6, 2016 judgment of the Court of Appeals is considered, and it is GRANTED. The parties shall

address: (1) whether the gun range currently used by the Berrien County Sheriff's Department is given priority under the County Commissioners Act, MCL 46.1 et seq., specifically MCL 46.11(b) and (d), over a conflicting township zoning ordinance, see *Herman v Berrien County*, 481 Mich 352 (2008); if so, (2) whether the Court of Appeals erred by reversing the Berrien Circuit Court's revision of the existing permanent injunction based on changed circumstances; and (3) whether the Court of Appeals properly vacated the trial court's decision to deny the plaintiffs' request for attorney fees pursuant to MCL 600.1721.

The Michigan Sheriffs' Association, Michigan Municipal League, Michigan Townships Association, Michigan Association of Counties, and International City/County Management Association are invited to file briefs amicus curiae. Other persons or groups interested in the determination of the issues presented in this case may move the Court for permission to file briefs amicus curiae.



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I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

September 22, 2017

Clerk